

The Grenada 'Memorandum' ■ TV's Sportsbiz

COLUMBIA JOURNALISM REVIEW

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ODD COUPLES

Nazis, Nudes—
and PBS

Prosecutors
and
the press

A Texan
at Newsweek?

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Subject: Introduction of
the new 3.2-liter Carrera
The fastest 911 ever

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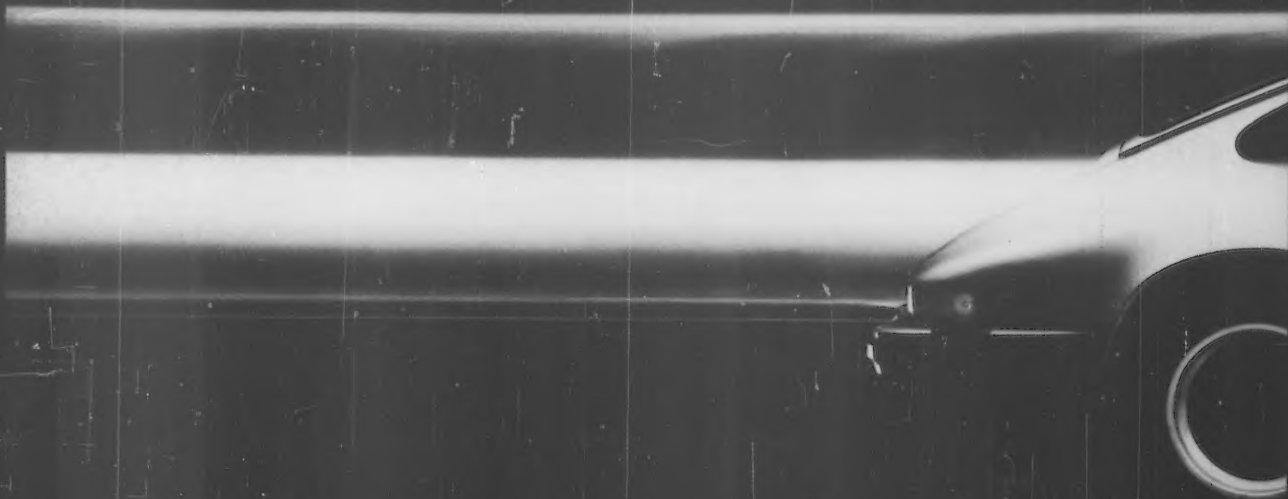
1973: Porsche introduced the famed 911 Carrera RS. Built mainly for competition, it outperformed cars with twice the engine displacement and horsepower. That same year, the ultra-light Carrera RSR variation beat everything in sight at

Daytona, swept the ISMA Camel GT series and Trans Am, and was named Europe's GT champion.

1974: A street-legal edition of the Carrera RS was introduced in the U.S. in limited numbers. It quickly established new performance standards for production sports cars.

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Porsche 911 *Carrera*

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CONTENTS

- 6 To assess the performance of journalism in all its forms, to call attention to its shortcomings and strengths, and to help define — or redefine — standards of honest, responsible service . . . to help stimulate continuing improvement in the profession and to speak out for what is right, fair, and decent

Excerpt from the *Review's* founding editorial, Autumn 1961

ARTICLES

- Odd couple: prosecutors and the press** by Tom Goldstein 23
Collaboration is common, takes many forms — and poses problems

- Nazis, nudes, and naughty words — on PBS?** by Howard L. Rosenberg 30
A funny thing happened to a thirteen-part freedom-of-expression series

- The copyright con** by Terri Schultz-Brooks 33
What some magazines are doing to writers — and how to fight back

- Deep in the heart of *Newsweek*** by Hillary Johnson 37
East met West, with a vengeance, when Texan Bill Broyles became editor.
A post-collision report on where *Newsweek's* headed now

- Sleuthing on local TV: How much? How good?** by Charles Burke 43
News directors assess their own investigative product

- He-man and she-woman: *Playboy* and *Cosmo* groove on genes** by Barbara Beckwith 46
Popular magazines are plugging a controversial theory as fact

- Too good to be true?** by Sandy Goodman 48
A TV producer chases after a newspaper tip

DEPARTMENTS

- | | |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Chronicle 7 | <i>Gimme a Break!</i> by Warner Wolf, an excerpt |
| The Barbados bounce | <i>Good Times, Bad Times</i> , by Harold Evans reviewed by Piers Brendon |
| What makes a bestseller a <i>Times</i> bestseller? | <i>Witness to War: A Biography of Marguerite Higgins</i> , by Antoinette May reviewed by Bernice Buresh |
| Federal regulations for the camera-shy | <i>The File</i> , by Penn Kimball, an excerpt |
| Latin Miami's right-wing radio | |
| <i>Barron's'</i> litigious leader | |
| Capital letter 17 | |
| The Grenada memorandum | |
| Comment 19 | Briefings 58 |
| Books 51 | Unfinished business 60 |
| <i>Supertube: The Rise of Television Sports</i> , by Ron Powers | The lower case 65 |
| reviewed by John O'Connor | Cover illustration by Marc Simont |

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(top left) AFTER THE BURIAL, (Artist Unknown), ca. 1780; (bottom left) TORAH CROWN, Repousse, 1840; (top right) PORTRAIT OF A BOY, Isidore Kaufmann, end of 19th century; (bottom right) PORCELAIN PASSOVER PLATE, Joseph Votav, ca. 1900; (bottom center) ALMS BOX, (Artist Unknown), early 19th century. “The Precious Legacy” is organized by the Smithsonian Institution Traveling Exhibition Service (SITES), in cooperation with Project Judaica, Mark E. Talisman, Chairman, and the Ministry of Culture of the Czech Socialist Republic, the Federal Ministry of Foreign Affairs of the Czechoslovak Socialist Republic, the National Committee of the Capital of Prague, and the State Jewish Museum in Prague. Photographs by Quicksilver Photographers, Washington, D.C. “The Precious Legacy” is published by Summit Books and is available in book form. © Philip Morris Inc. 1983.



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CHRONICLE

Banned from Barbados

Less than a week after United States troops stormed Grenada last October, on the neighboring island of Barbados, launching point of the invasion, the November issue of the regional monthly *Caribbean Contact* hit the streets emblazoned with the bold red headline, GRENADA'S NIGHTMARE. Inside, a commentary by the paper's editor, Rickey Singh, declared: "Today is a dark day in the history of the Commonwealth Caribbean. This invasion of Grenada . . . cannot be justified on any legal or moral ground. A dangerous precedent has been set that could have far-reaching implications for the future peace and security of the entire Caribbean." Two days later, Singh, a forty-five-year-old veteran journalist from Guyana, received an order revoking his work permit. Signed by Prime Minister John "Tom" Adams himself, the order gave Singh twenty-four hours to leave Barbados.

Although no official reason was offered for the expulsion, it soon became clear that Singh's criticism of the Grenada invasion in the pages of *Caribbean Contact* and the popular Barbados daily, *The Nation*, had angered the Prime Minister. According to Singh, Adams, who played a large role in lining up regional support for American intervention in Grenada, objected to articles which challenged the Barbados government's version of events leading up to the invasion. After Singh's attorney, former Barbados foreign minister and attorney general Henry Forde, requested a meeting with Adams to appeal the expulsion order, Singh's deadline was extended. At the meeting the Prime Minister and his aides presented Singh and Forde with a draft of a letter — to be signed by Singh — disclaiming many of the allegations the journalist had made in his articles and stating that he had been well treated since his arrival in Barbados in 1978. "By signing that letter, I would have retracted what I had written," says Singh. "They were in effect asking me to get down on my knees and beg pardon. My lawyer told them that there was no way I would sign such a statement."

According to Singh, Adams then suggested that a compromise draft of the letter be written. "During the meeting, we assured the Prime Minister that the government had

the full right to reply [in *Caribbean Contact* or *The Nation*], but they never sought to exercise this right," Singh says. The two sides adjourned after agreeing that Forde would reply to the points raised during the meeting. But before a reply was sent, Adams publicly announced that he would not rescind the revocation order.

Both Caribbean and North American press organizations have criticized Adams for playing a key role in a "rescue" mission to "restore democracy" to Grenada and then stifling one of the few voices of dissent at home. Even Jamaica's conservative *Daily Gleaner*, which, like all other major Caribbean newspapers, supported the Grenada invasion, wrote that the Barbados government action was "an attempt to reduce press freedom." On Barbados, where anticommunist sentiment has run high since the invasion, Singh has been branded a communist on local radio call-in shows and has received abusive and threatening phone calls at home.

Singh has long been a controversial figure in the Caribbean. As chief political reporter for the Thomson-owned Guyana *Graphic* in the early 1970s, Singh's investigations of fraud committed by the ruling People's National

Congress during the 1973 Guyanese general elections roiled the PNC's leader, Prime Minister Forbes Burnham. Eager to appease, Thomson transferred Singh to the *Reading Post*, another Thomson paper in England. In less than six months, Singh returned to the Caribbean to edit *Caribbean Contact*.

Founded in 1972 by the Caribbean Conference of Churches, an influential regional religious organization, *Contact* has struggled to stay afloat. When Singh became the tabloid's third editor in 1974, it was based in Trinidad and Tobago and was distributed free, mostly at churches. Singh accepted the editorship on condition that he would have complete editorial independence and that, within a year, the paper would convert to paid circulation. "I felt that giving it away was contrary to the spirit of self-reliance the CCC was trying to promote," Singh says.

During his tenure, Singh transformed *Contact* into one of the more respected and hard-hitting publications in the region. While continuing to carry church news, *Contact* began providing detailed coverage of politics, economics, culture, the environment, and human rights. The new mix did not please *Contact*'s Trinidadian hosts. When the gov-

Editor Rickey Singh in the Barbados office of *Caribbean Contact*



CJR/Gordon Brooks



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CHRONICLE

ernment refused to renew Singh's work permit in 1978, the CCC moved *Contact's* headquarters to Barbados.

Contact now claims a circulation of over 40,000, stretching from the Bahamas off the coast of Florida to Suriname on the northern coast of South America. It is also read by journalists, research organizations, and human-rights groups in Europe, North America, Africa, Asia and Latin America. "*Contact* is an invaluable source of information about developments in the Caribbean, not only about the English-speaking states, but Dutch- and French-speaking areas, Puerto Rico, and Cuba as well," says Canute James, former editor of the *Jamaica Daily News* and a contributor to *Contact*.

In the wake of Singh's expulsion order, the CCC, which still heavily subsidizes *Caribbean Contact*, must decide whether or not to relocate the paper's offices in order to keep Singh on as editor. And there is some question whether Singh wishes to remain at *Contact* in any case. When the CCC revised its denunciation of the Grenada invasion last November, claiming that it had taken its position before it became clear that a majority of the Grenadians saw the intervention as a "liberation process," Singh harshly criticized the conference for its "obvious somersault." Although the CCC denies having significantly modified its position, Singh is unconvinced. In a prepared statement after his meeting with Adams, Singh said he would prefer to join the "unfortunate suffering masses" in Guyana rather than compromise "my self-respect in order to be allowed to remain and work here."

Fitzroy Nation

Fitzroy Nation is Caribbean editor of *Inter Press Service*.

Regulating the electronic eye

For years federal regulatory agencies have routinely permitted film and television cameras to record their public hearings. But now, after restrictions were placed on a pair of independent documentary filmmakers at the behest of a large pharmaceutical manufacturer, the Food and Drug Administration has incorporated many of the curbs into a set of proposed guidelines that would give FDA officials the right to regulate camera coverage on a case-by-case basis.

The issue was raised in January 1983, when the FDA held a public hearing to con-

sider a request by Upjohn Company that its controversial injectable contraceptive, Depo-Provera, be approved for sale in the United States. Minneapolis independent producers Karen Branen and William L. Turnley were preparing a documentary about Depo-Provera and requested permission from the FDA to videotape the Public Board of Inquiry hearing. Upjohn, however, objected. The company charged that Branen and Turnley were not journalists and intended to produce a "necessarily subjective" documentary. Upjohn also claimed that a number of its witnesses might withdraw if they were to be videotaped and that the cameras might turn what was intended as a scientific inquiry into a "spectacle." If they had been told of the videotaping beforehand, Upjohn's representatives insisted, they would have brought forth witnesses "who would have directly responded to the more emotional and political assertions" that would be raised for the video cameras.

Dr. Judith Weisz, a professor in reproductive biology who presided over the Depo-Provera hearings, acceded to Upjohn's objections and barred all film and video cameras, noting that, should any of the company's witnesses actually withdraw, Upjohn could postpone the hearing. But after Branen's plea for a temporary restraining order was denied by the U.S. District Court in Washington, Upjohn relented and offered to let the producers tape the proceeding if they would agree not to record any witness who objected, to use a single, stationary camera directed only at the witness stand, to abstain from using artificial lights, to record the complete testimony of each witness taped, and to make all of the resulting footage available to Upjohn at cost. Branen, who had appealed the district court's ruling but was still awaiting a decision, reluctantly agreed. "While we were fighting this," she says, "we were pretty much alone. No one else seemed interested."

Last August, the FDA convened another Depo-Provera hearing and subjected a Cable News Network crew to similar restrictions. That same month the agency published a proposed "policy guide" for the "videotaping of public administrative proceedings." If adopted, the guidelines would allow witnesses who are not government employees to decline to be taped, prohibit cameras from recording reaction or cutaway shots, and place restrictions on lighting and camera placement. In addition, the guidelines would give FDA presiding officers the freedom to "establish other conditions" which "may be either more or less restrictive. . . ."

Suddenly, Branen and Turnley were no

longer alone. In the months since the proposed guidelines were published, all three television networks, CNN, and the Reporters' Committee for Freedom of the Press have filed comments opposing their adoption. "The thing that I find so offensive about the . . . proposal," says Edward Fouhy, ABC News's Washington bureau chief, "is its patronizing, paternalistic attitude toward television." Fouhy is concerned that the guidelines could be used as a model by other agencies. "[The Reagan] administration . . . is not exactly welcoming press scrutiny," Fouhy says, "and this is certainly another attempt to manage the news."

FDA officials say that the guidelines are

designed merely to offer presiding officers — who are often private citizens — guidance on what the agency would like them to do. "The purpose of the guide," explains Ruth Sherman, special assistant to the associate commissioner of the FDA's office of legislation and information, "is to increase the openness of the hearings." She adds, "We did not anticipate it being a problem. We're looking at a number of issues raised by the proposal. What the final outcome will be I do not know."

Charles Paul Freund

Charles Paul Freund is a free-lance writer living in Washington, D.C.

Thunder on the right in Miami

Last September three radio stations in Miami held a joint fund-raising telethon for Eduardo Arocena, a local hero fallen on hard times. A Cuban exile, Arocena was arrested by the FBI last July and is believed to be the leader of Omega 7, an anti-Castro terrorist group operating in the U.S. which has claimed responsibility for dozens of bombings and two assassinations. The three stations raised \$20,000.

Such events are not uncommon on Miami radio. In a city that is more than half Cuban-American, seven Spanish-language radio stations provide listeners with Latin music, Spanish talk, and a special brand of advocacy journalism. "The miserable tyrant of Cuba, Fidel Castro, made another bumbling and ridiculous spectacle of himself today . . ." began a recent news item on WQBA-AM, the leading news-oriented Spanish-language station. "Cuban officials reported a dramatically higher suicide rate among Cubans on that island than here in the United States, which once again shows us the desperate and dreadful state those people are in," another report asserted.

The stations justify their slanted coverage and fund-raising efforts for suspected felons like Arocena by explaining that their primary purpose in delivering the news is to fight communism. "Our position has always been to legally help all of those fighters for the freedom of Cuba," says Salvador Lew, general manager of WRHC-AM, another news-oriented Miami station.

The approach is successful. In 1982, WRHC was the highest-rated station in the Miami area, and WQBA is currently third. Together, the seven Spanish-language stations reach more than 100,000 listeners a day

in the metropolitan Miami area alone. Much of their appeal can be credited to individual reporter/commentators. WRHC, for example, plummeted in popularity when it lost its fiery, charismatic commentator, Armando Perez Roura, to rival WQBA.

The stations also maintain a loyal following by playing an active role in the community. After the 1980 boat-lift of refugees from Mariel, Cuba, federal agencies depended on the Spanish stations to help the new arrivals locate their relatives. In addition, the stations have raised funds to educate Cuban children in Spain, to pay for a child's surgery in Miami, to provide passage out of Cuba for dissidents, and for dozens of other causes. But the stations' main focus is on politics. "For them, communism is the issue," says *Miami Herald* editorial writer Guillermo Martinez. "The stations are foreign-policy oriented and militant. When anyone of them deviates from the line their ratings go down."

The stations' militancy extends to street demonstrations. Hispanic Miamians are encouraged to attend anticommunist rallies where the stations are represented by multicolored vans decorated with posters and banners in support of the cause. Last November, for example, nearly 1,000 people marched to a Miami cemetery on only a few hours' notice after a number of the stations implored listeners to turn out to honor three local Cuban Marines killed in the truck bombing of the Marine headquarters in Beirut. "Protest in the streets has been used by leftist forces to get attention," Tomas Garcia Fuste, WQBA's news director and a leading commentator told his listeners. "They use these acts to promote communism. Today we



The Miami Herald

have to take control of that street and show those Russians we care about our fallen."

In recent years, Miami police have blamed several incidents on such emotional broadcasts. The most serious occurred during a 1982 protest against the deportation of a young Cuban stowaway seeking political asylum in the U.S. One thousand demonstrators gathered without a permit in front of the immigration office in downtown Miami for a peaceful protest against the government's action. When the police attempted to disband the crowd, a scuffle ensued. Covering the demonstration live, several of the Latin stations occasionally called for calm, but they also aired the protesters' screams and chants from the street. Police transcripts of a WOCN-AM broadcast quoted Tony Cuesta, a Cuban exile leader, saying, "We, the Cubans, don't need a permit. And I am going to ask with one voice. . . . I only want to hear one yell on this Eighth Street — which is war!" In the background, protesters

Radio controlled? After a January 1982 protest march, thousands of Cuban-Americans clashed with Miami police. Authorities blamed Latin radio stations for triggering the melee.

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chanted, "War, war, war!"

Throughout the day, the stations urged listeners to attend a second demonstration to protest the earlier police intervention. "They are arresting innocent people. . . for pleasure, simply people who haven't done anything," WOCN commentator Agustine Tamargo declared. "They [are attacking] the defenseless multitude with tear gas." That night 5,000 Cubans marched through the streets of Miami's Little Havana. Riot police were dispatched and a rock- and bottle-throwing melee resulted. Afterward authorities blamed the Latin stations for inflaming the Cuban community. "In my opinion, there were a whole bunch of laws violated by all the [Latin] radio stations — incitement to riot," Miami Mayor Maurice Ferre charged.

The stations vehemently denied the accusations and blamed the confrontation on the police's show of force. A blue-ribbon commission was appointed in January 1982 to investigate the incident. Six months and \$18,000 later, the commission concluded that the Cuban community, the Latin stations, and the police were not at fault. Rather, the blame was laid on the federal government for deciding to deport the Cuban stayaway in the first place.

The stations' ability to marshal a crowd

has made them an intimidating specter to anyone who even gives the impression of being opposed to their virulent anticommunism. When one of a group of visiting Maryknoll missionaries made a passing reference to Central America in a sermon at a local church last October — saying that poverty existed there even before Fidel Castro was born — thirty Hispanic parishioners exited in protest. The next day, a Spanish-speaking nun told Pastor James Fetscher that WRHC had reported that the church's priests were delivering pro-Castro sermons and that the station had announced plans to protest an upcoming church workshop. Afraid of a violent confrontation, Fetscher cancelled the workshop, citing "a very misleading and erroneous [radio] report." WHRC officials deny having made the broadcasts.

Latin station managers and commentators say that the English-language press is critical of Spanish broadcasters because it does not understand communism and does not appreciate all the social services the stations have provided to the Cuban community during twenty-five years of exile. "It is said that Spanish-language radio is an empire that exercises power," wrote Tomas Regalado, news director of WRHC, in an op-ed article in *The Miami Herald* last October. "I think

not, because empires do not possess hearts, and Spanish-language radio indeed does have heart, a large heart dedicated to service."

Nery Ynclan

Nery Ynclan is a Miami Herald reporter.

Why not the best?

In the publishing business, securing a place on *The New York Times* best-seller list is more than a mark of success; it is a self-fulfilling prophecy. Once a book becomes one of the charmed fifteen, it often gets marked down in price, receives prominent display in bookshop windows, and is subsequently snapped up by readers who use the list as a buyer's guide. For the book's author this means enormous leverage in negotiating paperback and movie contracts, which very often contain incremental increases for each week the book remains on the list.

So if a book by a veteran best-selling author *doesn't* get on the *Times's* list, the writer may not only feel neglected by the public; he may, as in the case of William Peter Blatty, author of *The Exorcist*, feel cheated.

When Blatty's latest book, *Legion*, first appeared last June, it sold so well that within

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Editor: Spencer Klaw, 700 Journalism Building, Columbia University, New York, N.Y. 10027
Managing Editor: Gloria Cooper, 700 Journalism Building, Columbia University, New York, N.Y. 10027
Owner: Trustees of Columbia University in the City of New York, Columbia University, New York, N.Y. 10027
Known bondholders, mortgagees, and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages, or other securities: none
For completion by nonprofit organizations authorized to mail at special rates (Section 411.3, DMM only) The purpose, function, and nonprofit status of this organization and the exempt status for federal income-tax purposes have not changed during the preceding twelve months.

EXTENT AND NATURE OF CIRCULATION

Average number copies each issue during preceding 12 months:

Total number of copies printed	39,109
--------------------------------	--------

Paid circulation:

1. Sales through dealers and carriers, street vendors and counter sales	2,707
2. Mail subscriptions	28,620
3. Total paid circulation	31,327

Free distribution by mail, carrier, or other means: samples, complimentary, and other free copies

2,579

Total distribution

33,906

Copies not distributed:

1. Office use, left over, unaccounted for, spoiled after printing	2,736
2. Returns from news agents	2,467

Total

39,109

Actual number copies of single issue published nearest to filing date:

Total number of copies printed	39,279
--------------------------------	--------

Paid circulation:

1. Sales through dealers and carriers, street vendors and counter sale	2,650
2. Mail subscriptions	28,542
3. Total paid circulation	31,192

Free distribution by mail, carrier, or other means: samples, complimentary, and other free copies

2,697

Total distribution

33,889

Copies not distributed:

1. Office use, left over, unaccounted for, spoiled after printing	3,190
2. Returns from news agents	2,200

Total

39,279

I certify that the statements made by me above are correct and complete.

Susan C. France
Business Manager

CHRONICLE

a week the publisher, Simon and Schuster, found the initial printing of 75,000 copies insufficient and went back to the presses for an additional 25,000. Meanwhile the book began appearing on the best-seller lists of the *Los Angeles Times* and *Time*. Concerned about the book's absence from the *Times* list, Michael Korda, editor-in-chief of Simon and Schuster, called the newspaper to complain and on his second call, according to Blatty, was told to "go fornicate himself." Eventually *Legion* did appear briefly on the *Times* list — last September 4, in the number 15 slot — but not before Blatty had filed suit in Santa Monica Superior Court demanding more than \$1 million in compensatory and \$5 million in punitive damages for "negligent and intentional interference with prospective advantage from a book."

"Because *Legion* did not appear [in any significant way] on the best-seller list," says Blatty, "it is perceived as a failure by the movie industry. And when your hardcover doesn't make it, the paperback goes right in the toilet."

The *Times* compiles its list by polling 2,000 bookstores across the country for sales figures on the thirty-six top-selling books from the previous week in each of the list's four categories. The results are routinely checked by phone and then, with the help of a computer, weighted according to the size and location of the stores in order to eliminate any regional bias in the sample. It is the weighting — a common practice in polling — to which Blatty objects. "That's a convenient way for the *Times* to arrange the list in whatever way it would like it to appear," he says. "Every Sunday the *Times* claims that its figures are computerized. . . . But by weighting the numbers they are assisting in the creation of that list. What's so scientific about that?"

In order to determine whether or not *Legion* was unfairly excluded from the list, Blatty's attorneys are demanding that the *Times* reveal exactly how the list is compiled. Last October, the *Times* requested that the case be dismissed, claiming that the content of the list is protected under the First Amendment and that a court fight would mean the end of the best-seller list. If the *Times* is forced to disclose the identities of the booksellers that it surveys, the paper's attorneys argued, "the ensuing manipulation of sales . . . by publishers and authors will render the list meaningless." The *Times* attorneys also charged that Blatty's suit was frivolous, asserting that "This lawsuit rests upon . . . the absurd premise that the plaintiff has some sort of entitlement to free publicity in the defendant's newspaper."

In the meantime, the suit has stirred up other grievances against the *Times* list. One of the oldest and most recurrent complaints is that religious books, no matter how many copies they sell, almost never appear on the list. "We're surprised, frankly, that some of our titles have not gotten on the *Times* [list]," says John Bass, chief executive officer of the Christian Booksellers Association. "For instance *Joni* [by paraplegic Joni Erickson] sold well over a million copies. It's hard to know why or why not a book gets on; the *Times* is so closed about it."

Others question the accuracy of the information supplied by booksellers. "People in bookstores work pretty hard," says a former Brentano's buyer. "They don't spend a lot of time on those lists." According to Michael Meyer, director of merchandising for Waldenbooks (the nation's largest chain), "an independent bookseller without a computer must hand-count the books — on the day the *Times* wants him to count them. If I had a manual system, I wouldn't even bother."

The most serious charge is that the *Times* does not, as it contends, compile its list solely from sales figures reported by bookstores. *Pet Sematary*, the latest thriller from best-selling author Stephen King, for example, was number 4 on the *Times* list of November 6, which was published on October 27. But according to an executive at a national bookstore chain, *Pet Sematary* was late in reaching stores and did not arrive until the week of October 24. "Yes, it is a best seller," says the executive, "but how could the *Times* have known?"

Henry Reath, executive vice president of Doubleday, *Pet Sematary*'s publisher, acknowledges that, because of computer trouble, shipment of the book to some locations was indeed delayed, although he would not say by how long. An informal poll of several New York bookstores reveals that, in fact, the book did not arrive until October 24. Says Adam Clymer, who oversees the *Times* list, "I have no interest in responding to anonymous complaints."

Whether or not the *Times* is forced to divulge its trade secrets to Blatty and his attorneys, it seems unlikely that the paper will cease compiling the list and relinquish its tremendous power in the publishing world. And whatever the outcome of the case, we will never know if *Legion*, which centers on a berserk murderer loose in Georgetown, has been cheated out of its rightful place in our popular culture.

Laurie Winer

Laurie Winer is a free-lance writer and critic living in New York.



CJR/Harvey Wang

Alan Abelson

Barron's' bad boy

Alan Abelson, the editor of the business weekly *Barron's*, is not afraid of a good fight. He can't afford to be. Last March, A. T. Bliss, a Florida-based distributor of solar water heaters, brought a \$90 million lawsuit against Abelson for allegedly libelous statements in his weekly column "Up & Down Wall Street."

It is the third lawsuit against the fifty-eight-year-old columnist in the past five years, making him possibly the most legally beleaguered business journalist in the country. Through it all, the bright-eyed, avuncular Abelson has developed a hardened, uncompromising attitude. The kind of lawsuits he has faced, he believes, are a direct assault on his First Amendment rights. "What we've endeavored to prove in court," says Abelson, "is that financial and business journalists must cover their subjects with the same freedom as people who report on theater, baseball, or the police."

That so many of Abelson's subjects are provoked into seeking legal redress is a result of his column's unusual status in the financial community. Abelson has won a hard-earned reputation for "breaking" stocks with his negative comments, and "Up & Down Wall Street" is one of the few places where one can read that a hot stock is in fact seriously overvalued. The column often exposes fraud and manipulation before they have been detected by regulators like the Securities and Exchange Commission. "We call him the 'Poison Pen,'" says Samuel Ross, a broker with Drexel Burnham Lambert, who has been reading the column since Abelson started writing it in 1966. "The first thing we do on

**'The Bagehot Fellowship
was the best academic experience
I've ever had
and excellent background for my work.'**

Mary Williams, reporter
The Wall Street Journal

**'The Bagehot Fellowship is terrific.
I use what I learned every day.'**

Jan Hopkins, reportorial producer/economics
ABC-TV News

**'The Bagehot Fellowship
was very helpful. It taught me how to
translate business babble into business news.'**

Aly Colón, assistant economics editor
The (Everett, WA) Herald

THE BAGEHOT FELLOWSHIP

Williams, Colón and Hopkins were 1982-83 Fellows in the Bagehot Fellowship, an intensive program of study at Columbia University for journalists interested in improving their understanding of economics, business and finance. Guest speakers in the wide-ranging curriculum have included Paul Volcker, Murray Weidenbaum, Donald Regan, Felix Rohatyn, Douglas Fraser, Marina Whitman, John Kenneth Galbraith, Robert B. Reich, Irving Kristol, Otto Eckstein, David Rockefeller and Robert Heilbroner.

The Bagehot Fellowship is open to journalists with at least four years' experience. The ten Fellows selected each year receive free tuition and a stipend to cover living expenses. The deadline for applications for the 1984-85 academic year is April 6, 1984. For further information, send in the form below.

To: Chris Welles, Director
Bagehot Fellowship Program
Graduate School of Journalism
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CHRONICLE

a Saturday is rush out to pick up a copy of *Barron's* to see if he's gotten to one of our stocks."

"Up & Down Wall Street" is so powerful, in fact, that litigants have accused Abelson of using it to benefit his friends. In 1977, Technicare Corporation and one of its shareholders, Robert D. Nemeroff, filed a class action suit against Abelson, other members of the *Barron's* staff, and several investors who were said to have known Abelson personally. Nemeroff's attorneys charged that these investors had advance knowledge that Abelson intended to knock certain stocks in "Up & Down Wall Street" and had profited by selling them short before the column appeared. Halfway through the case, however, they changed their tune. They alleged instead

**'A lawsuit
is good experience,'
says Abelson.
'You build up
calluses.'**

that investors were furnishing Abelson with damaging information about stocks which they then sold short. After a long legal wrangle, the court not only determined that there was no basis for either complaint, but, in a highly unusual move, forced Nemeroff and his lawyers to pay \$50,000 to *Barron's* to help cover its legal fees.

In 1981, SafeCard Services Inc. alleged that Abelson had conspired to depress the price of that company's stock by leaking information to short-sellers. After another legal battle, the U.S. District Court issued a summary judgment: SafeCard's case did not hold water.

Rumors that Abelson uses his column to help his friends date back to 1975, when *Business Week* published an article suggesting that investor James Corr III had acquired a "golden news leak" — namely, Abelson. *Barron's* sued *Business Week* for libel. The magazine printed a retraction, and Abelson's reputation was upheld. But was a retraction enough? "The accusation was very serious," says Abelson's attorney, Michael Mukasey of Patterson Belknap Webb & Tyler. "Leaking from a column to short-sellers is the worst thing a financial journalist can do, in addition to being a crime. We could have clubbed

them senseless."

In the most recent lawsuit against Abelson, A. T. Bliss claims that the columnist disregarded "the standards of care and accuracy in investigating and reporting financial news." Bliss first appeared in Abelson's column after a Detroit brokerage firm issued a negative report on the company's stock, causing it to drop from \$30 to \$15 a share. The tumble caught Abelson's eye. He took a closer look and in "Up & Down Wall Street" last February he questioned some of Bliss's accounting practices. Then, in a feature story about Bliss a few weeks after the column had appeared, *Barron's* senior editor Michael Brody enlarged upon Abelson's claims and quoted Bliss's president Edward J. Roy as saying that the firm's customers "aren't very savvy people."

Ed Roy fumed. He denied that such a phrase had ever come from his mouth. On March 4, 1983, Bliss's attorneys filed their complaint against *Barron's* for actual damages in excess of \$60 million and punitive damages of \$30 million. Mukasey is convinced that the lawsuit is a response to Ed Roy's anxiety. "When you get telephone calls from irate stockholders," says Mukasey, "it's tempting to say, 'Yeah, we saw the articles, and we're suing the bastards.'"

Convinced that the suit was frivolous and an attempt to silence him, Abelson went after Bliss with renewed fervor. Last September, in the midst of the litigation, "Up & Down Wall Street" pointed out that the state of Florida had recently found that Bliss was violating state securities laws. The column went on to say that the SEC was looking for federal violations and that the Internal Revenue Service was engaged in a "criminal" investigation of tax-shelter agreements allegedly arranged by Roy and Bliss's treasurer, Reinhard Mueller.

Abelson admits that much of his editorial confidence comes from knowing that *Barron's*' parent, Dow Jones, has deep pockets and will stand behind what he writes. But he also thinks that too many journalists are backing down out of fear of litigation. "There's an absolute epidemic among writers," he says. "They're all living in fear of libel suits. They might just as well abdicate the First Amendment and sign on at some public relations firm." Every writer should be "blooded" at least once, says Abelson. "A lawsuit is a good experience. You build up calluses. You realize that it isn't the worst thing in the world."

Cathryn Jakobson

Cathryn Jakobson is a business writer living in New York.

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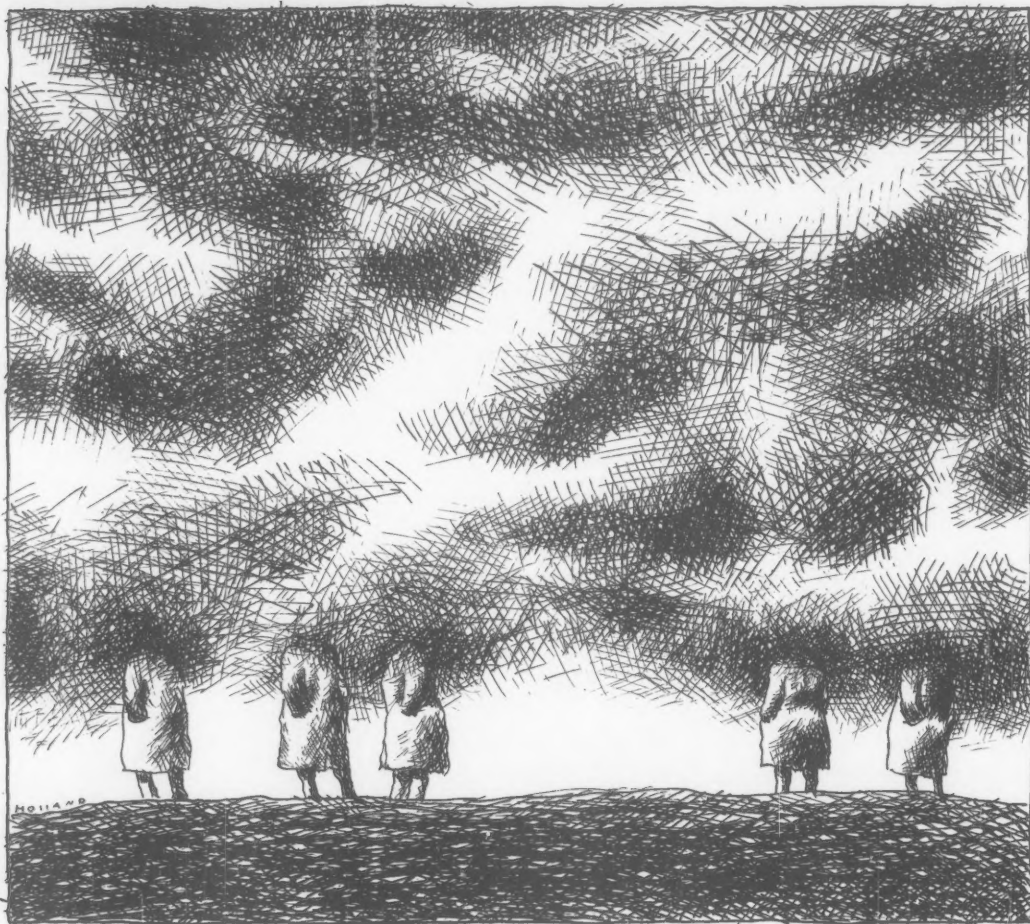
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CAPITAL LETTER

by WILLIAM BOOT

The Grenada memorandum

The following document, leaked at great risk to the source, may provide some insight into the dynamics of liberation on Grenada.

TOP SECRET: For the eyes of the Secretary of Defense only
FROM: Col. Clarence ("Lumpy") Rutherford, Defense Intelligence Agency
SUBJECT: Victory in Grenada/Operation Urgent Fury

I. Introduction. At your request, I have prepared this after-action report regarding our tactics for victory in Grenada and strategies the enemy might be expected to pursue in future engagements.

II. Simple Approach. Our approach was a simple one: to strike with surprise and reach our objectives quickly, positioning ourselves to repel any enemy counterstroke and to establish control of the air. The plan worked very smoothly: most journalists who attempted to reach the island in small craft were repelled at sea; meanwhile, we managed to control the air and the flow of information that went out over it.

A. Judicious Use of Force. The rules of engagement on Grenada included an emphatic directive to avoid recourse to overkill tactics. Nuclear weapons were never an option in our dealings with the press. We accomplished our mission satisfactorily simply by having Navy planes with their bomb-bay doors open buzz the unauthorized press boats and by holding four reporters incommunicado. No one in the American force intentionally fired a shot at a reporter, although the commander of the operation, Admiral Joseph Metcalf, threatened to do so at one point. The lesson here is that ambiguous humor can be an effective weapon.

B. Benefits from Operation. With the rout of the press in Grenada, it can fairly be said that the Vietnam War was belatedly won on that tiny Caribbean island. We saw to it that televised scenes of cheering liberated natives and American medical students were "in" and that televised gore was "out." An army marches on the stomachs of its citizens, and I can assure you that no TV dinners were spoiled during the operation.

III. Enemy Failings. The enemy did not use his full arsenal during the conflict.

A. Colored Inks Threat. One scheme the enemy had under consideration but failed to implement was revealed in a captured document titled "Sound and Urgent Fury" — an internal memo from a book reviewer to the editor of a major American newspaper:

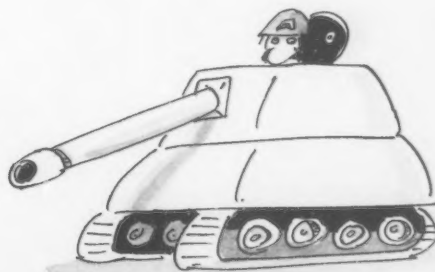
"When William Faulkner was writing *The Sound and the Fury*, he proposed to print the jumbled, first-person recollections of the mentally retarded character, Benjy, in specially coded, multicolored inks to make things less confusing to the reader. He ultimately discarded the idea. But why not resurrect it for our treatment of Grenada, highlighting in red or purple ink all official 'information' not inde-

pendently confirmed? After all, as related by the Pentagon, 'Urgent Fury' does resemble a tale told by an idiot: American medical students are 'rescued' by invaders from a danger created by the invasion. Seven hundred Cuban construction workers are transformed overnight into as many as 1,800 trained warriors who might be fighting in the hills for months and then the next day again become 700 Cuban construction workers. Meanwhile, American forces on the island double from 3,000 to 6,000 in a matter of minutes, suggesting a new form of asexual reproduction that should eliminate any need for the draft."

A State Department liaison officer contends that this document is "strictly facetious," but we have determined that, as a precaution, DOD should be on guard against colored inks. In this connection, one suspicious publication would appear to be *USA Today*.

B. Submissive Behavior. In terms of the enemy arsenal, a second key question is why the enemy, when subjected to our preemptive strike, did not retaliate with his ultimate weapon — keeping the president off the air, thereby preventing him from making his highly successful TV appeals to the patriotic instincts of

CJR/Patrick McDonnell



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assemble..."*

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Director

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FELLOWSHIPS IN EUROPE

Columbia University's Graduate School of Journalism is again seeking applicants for two programs in Europe for American journalists.

"Journalists in Europe" provides nine-month internships for experienced young journalists who will be based in Paris, reporting and writing on the Common Market countries and contributing to a bimonthly magazine. Fluency in French is desirable, but there will be an opportunity before the term begins for intensive language training. Some scholarships are available for the \$8,000 cost of the program, which will run from October 15, 1984, until June, 1985.

The John J. McCloy Fellowships provide four weeks' travel and living expense in West Germany for American journalists wishing to study and write about the country.

Deadlines for both programs are February 1, 1984.

Applications are available from Prof. Donald Shanor, Graduate School of Journalism, Columbia University, New York, N.Y. 10027

CAPITAL LETTER

the citizenry. In thus putting their electronic weapons at our command, the networks resembled a flock of chickens running ads for Colonel Sanders. There is evidently a key weakness in the enemy's will to fight. We were puzzled for years by this flaw but the mystery was cleared up in a report we obtained from Dr. Duane Dumpke, a DOD psychological warfare consultant and ethologist at the National Zoo, who provided a biopsychological explanation. What we are witnessing, according to Dumpke, is an odd human variant on the pattern of "submissive behavior" evident in lower primates:

"Once the pattern of dominance is established, the submissive ape presents itself to the more aggressive beast for mutual grooming, in which each removes bugs and dead skin from the coat of the other. Mutual grooming between the government and press is a bit more complicated. Government, the dominant party, produces its own versions of events and creates images that are advantageous to itself — for instance, the recently purveyed image of President Reagan, clad in army field jacket, peering with binoculars across the Korean DMZ, 'staring Communism in the face' — and the press submissively but energetically conveys these images to the public. News organizations tend to regard these government-made images as phony and to hold them in contempt. But they nevertheless disseminate them, evidently deriving satisfaction from being thus dominated. This is an unusually overt form of media masochism, and the press's satisfaction actually appears to increase when it is being whipped. Witness the flurry of media submissiveness during Reagan's Korea trip, which followed close on the heels of the whipping in Grenada.

"Recommendation: Whip hard and often for best results.

"Caveat: Reporters are not uniformly submissive by any means and can indeed be treacherous."

C. Indirect Approach. One of the more treacherous news organizations is the left-leaning *Washington Post*, as demonstrated when its initial editorial on Grenada sharply questioned the operation. Our method for dealing with the

Post was a variation on what Captain Basil H. Liddell Hart, the British war strategist, termed the "indirect approach." Rather than assault the enemy frontally, we moved to cut him off from his base of support, waiting until the impact of the president's speech and of our p.r. choreography on Grenada had swayed the public. The effectiveness of our indirect approach was evident when the *Post* came out in favor of the Grenada operation November 9, citing, among other things, the fact that "most American citizens also supported it." *The New York Times*, however, refused to retreat in the face of our encircling movement and had the temerity to launch an attack on the Grenada mission in its lead editorial November 2. We have taken some preliminary steps to form a commission to consider more direct methods of dealing with the *Times*. With your concurrence, Mr. Secretary, we will sound out former vice-president Spiro Agnew on the matter of becoming chairman.

IV. Coping with a Future Threat.

A future risk to be considered is that the media might anticipate our next military move and send sizable contingents of reporters and camera crews to the landing zone in advance, along with satellite dishes to beam the stories home.

Luckily, our position in this regard is much like that of General William T. Sherman on his victorious march through Georgia — the enemy can never be sure where we plan to strike next: i.e., if he moves in force into Nicaragua, we can hit Guyana, or some other target of opportunity. If he moves too many of his troops into the field, leaving the capital weakly defended, we can consider applying the same techniques here in Washington that were tested in Grenada with such success. Our stated grounds for banning reporters from the island during the fighting were that it was "too dangerous." By the same token, reporters (who carp too much about spending deficits anyway) could be banned from covering the Treasury because it is "too boring." And so on for all the other news "beats." Eventually, the entire nation could become a p.r. free-fire zone for DOD, thus stemming any further decline of democratic values. . . . ■

COMMENT

'Just take our word for it'

The quack, the charlatan, the jingo, and the terrorist can flourish only where the audience is deprived of independent access to information. . . . [W]here all news comes at secondhand, where all the testimony is uncertain, men cease to respond to truths, and respond simply to opinions. The environment in which they act is not the realities themselves, but the pseudo-environment of reports, rumors, and guesses. The whole reference of thought comes to be what somebody asserts, not what actually is.

So wrote Walter Lippmann more than sixty years ago, reflecting on the profound corruption of news channels in World War I. So he might also have written this past fall had he been able to witness the stirring up of public opinion on two occasions: the Soviet downing of a South Korean airliner and the occupation of Grenada.

In both instances, the pseudo-environment was created by the president of the United States and by the most strident voices of American (or Americo-Australian) journalism. In both instances, reports, rumors, and guesses were used to support instant and sweeping assertions. And in neither instance could those assertions — that the destruction of the airliner was a deliberate murder or that American forces arrived just in time to prevent the completion of a major Soviet-Cuban base on Grenada — withstand careful or prolonged scrutiny.

Providing such scrutiny was extraordinarily difficult. The critical information about the airliner involved sources so esoteric and distant that it was weeks before reporters could piece together a comprehensive account of what had happened. In Grenada, the Reagan administration assured itself of a favorable environment by barring reporters from the military operation. Americans were thus treated to news bearing the stamp of the Pentagon, and it was only later that journalists were able to fill in the gaps and correct errors.

By then, however, the public had long since decided, judging by the polls, to accept the official versions of events. Moreover, it appeared that much of that public — perhaps a majority — also rejected the contention of the press that it should have accompanied the troops to Grenada.

Time used this and other symptoms of public hostility to the press as the theme for its December 12 cover story, which offered familiar evidence that American journalism, like such other institutions as Congress and the federal executive branch, is widely distrusted. One implication of such distrust, it is often suggested, is that the press has a public relations problem and should use public relations means to solve it. This notion is based on the assumption that, if the

public knew more about journalism, it would like the press better.

But another conclusion that can be drawn is that the public already knows the press reasonably well, and is not entirely incorrect in seeing the press as a competitor for power with, say, the president and Congress, and therefore to be regarded with equal skepticism. Indeed, journalists themselves have helped to popularize the idea that the press should act as an independent fourth, or watchdog, branch of government.

Uneasy though journalists may be with the idea, it is time they recognized that the journalism of public affairs is inevitably political — that to report facts that call into question official versions of events is at once a journalistic duty and a political act with political consequences. This is not to say that because such reporting is political it need be unfair or partisan. Indeed, a recognition of the political power of journalism should serve as an injunction to be scrupulously fair in laying out the facts.

Those parts of the American press that recognize this responsibility performed well this past fall under major handicaps, not the least of which was a public sentiment that they should not bother to do the job at all. Reporting that, in effect, pointed out the moth holes in the flag that the president so persistently waved was not an easy task, but it provided to those who would read and listen the independent information that is the only weapon against the quack, the charlatan, and the jingo, should any public official choose to play those roles.

Darts and laurels

Dart: to UPI, for a math-anxiety attack of suspiciously sexist origin. Summarizing the findings of a poll of working women in which 39 percent opted for male bosses, 16 percent preferred female bosses, and 45 percent said that the boss's gender made no difference, the October 26 wire story announced in its lead that "Working women prefer male bosses by better than two to one."

Dart: to *The Dallas Times Herald*. Its favorable November 6 review of Bryan Woolley's novel (in which Woolley's technique was compared to William Faulkner's) neglected to mention that Woolley is book editor of *The Dallas Times Herald*.

Laurel: to *The Tampa Tribune* and reporter Richard Bockman, for a relentless inquiry into judicial corruption

that began in February 1983 with Bockman's disclosure of a sudden switch in a sentence handed down by a circuit court judge and ended, ninety-one news stories and editorials later, with the resignation (in August) of that particular judge and the conviction (in November) of another on charges of perjury and official misconduct.

Darts: to Chicago's three major television stations, for their self-serving coverage of black Mayor Harold Washington's bitter blast against the white news media in general and WBBM-TV anchorman-commentator Walter Jacobson in particular. According to a trenchant October 21 analysis by *Chicago Sun-Times* media critic P. J. Bednarski, WMAQ chose to ignore the story rather than give even critical exposure to a rival station's star; WLS creatively juxtaposed some tapes that made it appear to viewers that Jacobson was actually agreeing with the mayor's charge that Jacobson was "not honest," that he "could destroy the credibility of a person," and that he was "the bottom of the barrel"; while over at WBBM, Jacobson's own report blandly sanitized Washington's personal attack thusly: "The mayor angrily criticized reporters, including me among them, but later tried to make amends."

Dart: to the Morristown, New Jersey, *Daily Record*, for failing to report a single word about the trial of Carla Cantor, a *Record* reporter who was convicted in October of impersonating an official from the county morgue in order to gain an interview with a murder victim's mother.

Laurel: to the Muskogee, Oklahoma, *Phoenix and Times-Democrat* and reporter Jim East, for "The Great Midwest Grain Theft." The four-part series (October 23-26) unearthed little-known facts about the infestation of robberies, thefts, frauds, and swindles flourishing on the agricultural plains of Kansas, Nebraska, and Iowa, and the puzzling failure of local, state, and federal authorities to make a serious effort to stamp it out.

Dart: to Ann Landers, for brazenly using her syndicated column to promote her son-in-law's career. Responding to a reader's comment that not every man who lives with his wife's parents is as easy on the eyes as the handsome actor who is married to Landers's own daughter, the advice-giver dotingly replied, "You can look at Ken Howard every Thursday night on ABC at 8:30 p.m. in his new series, *It's Not Easy*. That's what his mother-in-law does."

Laurel: to the weekly Lakeville, Connecticut, *Journal*, for "After Ten Years," a thoughtful retrospective on the notorious Peter Reilly case, in which an innocent local youth had been wrongfully — some might say willfully — convicted of his mother's grisly murder in 1973. The sixteen-page special supplement (September 22) recounts the fascinating course of events that ultimately led to Reilly's release, traces the sometimes reassuring, sometimes disturbing post-trial histories of the drama's principal play-

ers (one of whom was mysteriously murdered last summer in New York), and examines the healthy changes in police and criminal-justice procedures that have since been instituted by the shaken state.

Laurel: to Robert McCloskey, ombudsman for *The Washington Post*. Expanding on the complaints of readers critical of the *Post* for its handling of the U.S. Embassy's rejection of Israel's offer of hospital beds to Americans wounded in the attack on Marine headquarters in Beirut (the offer had been played down — and its rejection explained away — by reporter Edward Walsh in an October 25 story stressing Israeli culpability in the chain of events), McCloskey in a November 12 column exhorted the *Post* and other news media to demand an answer to the urgent question left unasked: the degree to which political concern for Arab sensibilities had imposed unnecessary hazards of travel and delay on the wounded American Marines.

Dart: to the ABC-owned television station KGO in San Francisco — first, for the misguided daytime and early evening commercials promoting its series on Soviet spying in the San Francisco Bay area, in which Santa Claus is shown soaring over the rooftops in his sleigh before being

Other voices — on Grenada

The networks and the top news agencies are furious that they were not told in advance of the U.S. plan for the invasion of Grenada so that they could tell the Grenadians, the Cubans, and the Soviets all about it.

The senior White House reporter, Helen Thomas of United Press International, has even accused President Reagan of handing over rule of the U.S. to a military junta What the networks really are furious about is that they were unable to bend the U.S. government to their whims and satisfy their appetite for violent news footage. And you can bet that had they been there they would have lost no opportunity to propagandize on behalf of the enemy regime.

As for Helen Thomas, the U.S. government has not been handed over to the military. But even that would be preferable [to] handing it over to the networks.

Peter Fearon, in the *New York Post*,
November 28

Well, there's one thing you can say about the invasion of Grenada. It isn't a living-room war. There are Americans in combat, fighting with Cubans, putting Russians into custody, and not a single member of the American press allowed to observe. . . .

When the British went into the Falklands, they took along a few correspondents and cameramen — a small tip of the hat to a free press. But in Grenada the Reagan administration



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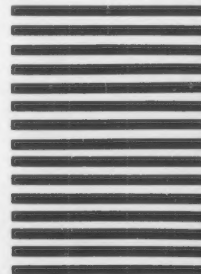
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shot down and destroyed by a Soviet missile; second, for its pious response to parental criticism of the commercials in a full-page ad in the *San Francisco Chronicle* (November 17), to wit: "... To put this all into perspective, however, let us remember that neither Christa nor Rita Metcalf, aged 3 and 7, will ever be scared by seeing a fake Santa shot down by a fake Soviet missile on a television commercial. Both of these little girls were aboard Korean Airlines Flight 007, which, on September 1, 1983, was shot down by a real Soviet missile in our very real world."

Dart: to the Julesburg, Colorado, *Advocate*, for the uncharming caption on a photo capturing an equally uncharming tradition at the local high school known as Slave Day, in which each senior has a freshman slave for the day. The paper explained that one "slave" shown in the picture was dressed as Little Bo Peep; another — in blackface — "as a colored girl."

Dart: to *The New York Times*. The paper's op-ed piece headed SOLIDLY BEHIND ARAFAT (November 15) correctly identified the author, Edward Said, as a professor of English at Columbia University "who writes frequently on the Palestinians" — but failed to mention that Said also is a mem-

ber of the Palestine National Council, the governing body of the PLO.

Laurel: to *Esquire* and writer Howard Kohn, for "Cocaine: You Can Bank On It" — a telling account of the role played by U.S. banking institutions in the lucrative laundering of narcobucks.

Dart: to the *St. Louis Post-Dispatch*, for its pussyfooting headline over a story about three dogs that had been wounded in a raid on a dogfight arena in Illinois: 3 PIT BULLS FROM RAID PUT TO SLEEP. As the paper's ombudsman observed in a September 18 column, "The next time someone on death row is executed, will the *Post-Dispatch* say MURDERER-RAPIST JOE DOAKS WAS PUT TO SLEEP TODAY BY THE STATE?"

Laurel: to the Easton, Pennsylvania, *Express*, for an act of simple journalistic humanity. Sensitive to the agony of residents desperate for news of their relatives in Beirut following the bombing of the Marine compound there on October 23, yet supplied with many more AP wirephotos on the story than it had space to print, the *Express* on October 25 opened its file of unused photos to the affected families, inviting them to search for that familiar face. ■

has produced a bureaucrat's dream: Do anything. No one is watching. . . .

The Secretary of Defense explains American casualties in Grenada by saying the price of freedom is high. What freedom? The freedom of the American people to know what their government is doing? This administration clearly doesn't believe in that.

John Chancellor, on the NBC Nightly News, October 26

In seeking to understand the gap between President Reagan's proclaimed devotion to a free press and his administration's conduct toward the media, future historians may wish to consider three ostensibly unrelated events.

They are offered here, in reverse order, at no extra charge.

On November 12, during his visit to Japan, the president made a speech favoring freedom of the press. That is all I can tell you about it. In a bizarre irony, the speech was kept off the record at Reagan's request.

On October 27, a senior administration official, briefing the media under ground rules of anonymity before the president made a nationally televised address, told reporters that 1,150 armed Cubans were on Grenada and that no civilian casualties had been caused by the U.S. invasion.

On the same day, the controlled news media in Cuba, one of Reagan's least favorite dictatorships, accurately re-

ported that the Cuban contingent numbered 750 and that there had been civilian casualties.

It is another irony of this anticommunist administration that October 27 was one of the few times in history when citizens of a communist country knew more about what was going on than Americans did.

Lou Cannon, in The Washington Post, November 28

The excuses given for this communications power grab were false. Caspar Weinberger . . . pretended that reporting was denied because of concern for journalists' safety, which is absurd: the Reagan administration would hail the obliteration of the press corps. Another reason advanced — that the military was too busy to provide the press with tender, loving care — is an insult calculated to enrage journalists.

The nastiest reason, bruited about within the Reagan bunker, is that even a small press pool would have blabbed and cost American lives. Not only is this below the belt, but beside the point: we know that the Cubans knew of the invasion plans at least a day in advance. In fact, the absence of U.S. war correspondents has curtailed criticism that the Pentagon miscalculated and sent in a dangerously small initial invasion force.

William Safire in The New York Times, October 30

We've declared total war...



Bacteria in lab dish (1) elongate after addition of piperacillin, a new antibiotic (2); the cell wall of the microorganism weakens (3), then ruptures and dies (4).

...on infectious diseases.

Infectious diseases are the enemy—ranking fifth among the leading causes of death in the United States. More than two million people require hospital treatment each year for a wide variety of infections, adding an extra \$1.5 billion in hospitalization costs alone to our country's already staggering health-care bill.

Not only do these disease-causing invaders strike swiftly and severely when the body's defenses are weak, but over the years new strains of many bacteria have appeared—strains that are resistant to many existing medications.

Fortunately, research scientists have developed a new generation of antibiotics, including a semi-synthetic penicillin (whose bacterial action is pictured above), to battle against a broad spectrum of life-threatening microorganisms. These rapid-acting antibiotics provide physicians with powerful new weapons for their medical arsenals.

But the war against infectious diseases continues and our search for even newer, more effective medications goes on.



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Odd couple: prosecutors and the press

Should reporters collaborate with lawmen?
What's the payoff for journalism?

by TOM GOLDSTEIN

Probably best known for the tranquil resorts of Captiva Island and Sanibel, Lee County on Florida's Gulf Coast last fall became, in the words of an editor of a local paper, the scene of "Southwest Florida's longest-running soap opera."

It was a story of sex, politics, corruption — and press ethics. The story began with an indiscreet county commissioner bragging to a local television reporter about his sexual escapades with prostitutes supplied to him by a local contractor seeking county business. It ended by raising the enduring question of to what degree journalists should collaborate with law enforcement agents.

In November, the curtain dropped on the soap opera in Lee County when Commissioner Ernie Averill was sentenced to five years in prison for accepting illegal compensation, a sentence and conviction he is now appealing. During pretrial maneuvering last summer, the state attorney's office gave credit for breaking the case to two confidential informants. One was the director of the county airport; the other was Chere Avery, a reporter for WBBH-TV in Fort Myers.

Avery first met Averill while covering county government. Over time, they developed a rapport few journalists and sources enjoy. They shared secrets, but at a pretrial hearing Avery testified: "If [a source says], 'Keep this off the record,' that means I don't put it on the news. That doesn't mean I don't tell someone."

When Averill bragged, Avery did not put it on the news. Instead, she told her husband, an assistant state attorney, and others at the prosecutor's office. Later, when asked why, she replied under oath: "I felt it was my duty, okay?"

Tom Goldstein, who is working on a book on press ethics, is Gannett Visiting Professor at the College of Journalism & Communications at the University of Florida, in Gainesville. Michelle Henderson, a student at the school, assisted in the preparation of this article.

When the county commissioner and the contractor planned a pleasure cruise along the scenic Intracoastal Waterway near Fort Lauderdale, Avery alerted the investigators. In return, they allowed her cameraman to join them as they staked out the commissioner. The story was held until the investigation had been completed.

Avery continues to work at her old job, covering county government and serving as evening anchor. Does she have any qualms? "None whatsoever," she says.

The extent of her cooperation is unusual, but not unique. A report by the Department of Justice on leaks that occurred during ABSCAM and two other undercover operations mentions an unnamed reporter who had been treated officially as an informant. The report, issued in 1981, goes on to say, however: "The value to the government of tips or leads from informant newsmen is likely to be marginal at most. Truly trustworthy information probably will find its way into the public domain on the air or the printed page, since reporters are not likely to sit for long on a good story."

Should reporters cooperate with law enforcement agencies?

☐ No need to, says David Trager, the dean of Brooklyn Law School and chairman of the New York State Commission of Investigation. "Reporters can serve law enforcement best by being good reporters." When he was the United States attorney in the mid-1970s for the jurisdiction that included Brooklyn, Trager says, he initiated a number of investigations as a result of leads provided by published stories.

☐ "I can't sit in judgment on someone who took a dive for a good story," says Seymour Hersh, the Pulitzer Prize-winning reporter and author of *The Price of Power*, a critical examination of Henry Kissinger. "A lot of federal prosecutors won't talk to you unless you deal with them."

☐ "Of course reporters should cooperate," says Clark Mollenhoff, another Pulitzer Prize-winner who now teaches at



Dan Fitzpatrick/Fort Myers News-Press

The reporter as informant: Chere Avery, a reporter for WBBH-TV in Fort Myers, Florida — shown testifying last fall at the trial of a county commissioner — had assured the commissioner that information he shared with her would be kept off the record. She did not immediately air his incriminating secrets, but she did share them with members of the state attorney's staff. The Fort Myers station held the story for several months while investigators developed their case.

Washington and Lee University. "We have to cooperate. Anyone who says he doesn't cooperate at all is a damned fool. Anyone who says he cooperates all the time is a damned fool."

□ It depends, says Victor Navasky, editor of *The Nation*. "I have a strong presumption against any type of cooperation between prosecutors and journalists that smacks of collusion." That presumption is not absolute, however. "It depends on what kind of journalist you are," says Navasky. "If you are someone who is a free-lance book writer or is in the advocacy-journalism business and up front about it and advertise to readers that you are committed to a point of view, that is different."

With the possible exception of a few reporters like Chere Avery of Fort Myers, there seems to be a consensus among journalists that they should not willingly turn over materials obtained in confidence. There also seems to be general agreement that a reporter has a duty to inform the police of an imminent crime. Gilbert Cranberg of the University of Iowa often uses the example of a reporter who picks up a phone and is told that the caller is headed for the statehouse to shoot the governor. That reporter, notes Cranberg, would "instinctively" notify the police.

But, while many reporters would limit collaboration to extreme situations of this kind, there is a vocal group of journalists who feel that there should be more cooperation between press and law enforcement. In the past few years, this position has been most forcefully articulated by some of the leaders of Investigative Reporters & Editors, the group that emerged from the effort to probe the death of *Arizona Republic* reporter Don Bolles in 1976.

Last October, at an IRE meeting in Palm Springs, Tom Renner of *Newsday*, the group's president, gave an eloquent speech on the arrogance of the press and its antagonism toward law enforcement agencies. "There is something wrong," Renner said, "when we in the media become a private FBI, walking a one-way street where it's all right for us to take and, yes, demand information, but refuse to provide reciprocal help when called on by those we seek information from." In the audience, there was some applause, some "right on's," and some groans.

IRE, with more than 1,000 members, is now based at the University of Missouri, and its executive director, Steve Weinberg, says that the group takes no official position on such issues as trading information with law enforcement agencies. "Those who are quite active and quite vocal in the organization tend to be pro-collaboration," he says. "But there are as many differences of opinion and gray areas on this as on any other issue."

It is a matter of some irony that this magnified sensitivity over the proper role of the investigative journalist should come at a time when the press appears to be launching fewer investigations. Last spring, at the International Press Institute meeting in Amsterdam, Michael O'Neill, the former editor of the *New York Daily News*, remarked that the "great investigative wave that surged through American journalism after Watergate seems to be ebbing." That observation is confirmed by several leading editors.

The introspective look that investigative journalists are taking reflects the larger question of what role journalists should play in society. How friendly can they be with their sources? Should they just watch the world or should they try to make it better? Should they take part in community affairs? Are they the loyal opposition?

Two years ago, in a widely publicized speech to the American Society of Newspaper Editors, O'Neill said: "We should make peace with the government; we should not be its enemy." In a graduation address last spring, Joe Dealey, chairman of the A.H. Belo Corp., owner of *The Dallas Morning News*, urged newspapers not to be "obsessed with a mission to overly investigate, to muck-rake, to serve misguided ideals, or to arouse passions and animosities."

All this talk of greater accommodation makes many journalists and interested outsiders uneasy. "The press and government are natural adversaries," says Burt Neuborne, legal director of the American Civil Liberties Union. "When elements of the press talk about being partners, that's like me talking about being partners with the government. Sure, I live in the same universe and I respect some [officials]. But I fight them. That's my institutional role."

"I don't think newspapers ought to be arms of government," says Gilbert Cranberg, who before turning to teaching had been editor of the editorial pages of *The Des Moines Register* and *Tribune*. "Journalists are in a different category. They are reporters of events. They can't be active and be critics at the same time. When feeding information to law enforcement, you become an actor. You are then commenting on your own handiwork."

Collaboration between journalists and law enforcement people, which to some reporters may seem little more than a vague abstraction, can be broken down into at least three discrete categories: when reporters help law enforcement agencies, when law enforcers help reporters, and when they work in tandem. There is also, of course, the involuntary collaboration that occurs when journalists are compelled, on pain of going to prison if they refuse, to testify in criminal trials.

The one-way street: from reporters to law enforcers

"I have helped prosecutors," says Jack Newfield of *The Village Voice*. "They have not helped me." Several articles that he and Wayne Barrett of the *Voice* have written individually or jointly have led to investigations by state and federal prosecutors in Brooklyn.

"Wayne and Jack care about what they write," says their friend Edward R. Korman, who from 1978 to 1982 was U.S. attorney for the Eastern District of New York, a sprawling jurisdiction that includes Queens and Long Island as well as Brooklyn. "They are committed people. They do not just want credit for a story. They want an abuse to end." Others are less charitable, viewing the pair as avenging angels. New York's mayor, Edward I. Koch, for whom I worked as press secretary, regards them as "ideologues" and refuses to be interviewed by either man.

In the middle-1970s, Newfield, with Barrett's help, relentlessly went after Samuel Wright, a local councilman. "I believe that I had an obligation as a journalist," says Newfield. "As a citizen, I believed that Sam Wright was a parasite on the Brownsville community. I felt it was my moral obligation not just to rest with the article in *The Village Voice*. I went to the Eastern District. I supplied public documents I had obtained through the Freedom of Information Act. I thought it was perfectly appropriate to go one step beyond." (Wright was convicted of extortion and fraud in 1978, and was sentenced to three months in jail.)

Another set of stories by Barrett and Newfield triggered an investigation of possible campaign irregularities by Congressman Charles Schumer, a Brooklyn Democrat. The investigation aroused strong feelings among many lawyers, politicians, and journalists in New York, some of whom suggest that the authors went beyond merely writing stories and pressured prosecutors to pursue Schumer. In an affidavit sworn to last May, John Scanlon, a New York public relations consultant and a friend of Schumer, said Newfield told him that he was going to "get" Schumer. Scanlon's affidavit says: "I believe he said, 'I'm going to get him [Schumer] any way I can,' or words to that effect."

(Newfield denies that such a conversation took place and that prosecutors were pressured to pursue Schumer.)

The general position of prosecutors — at least on the record — is that it is more blessed to receive from journalists than to give. Typically, says Korman, who is now in private law practice, "when a reporter was helpful to us, it was with the understanding it was a one-way street."

Charles J. Hynes, who, like Korman, is a friend of Newfield, says that when he was New York State's special nursing-home prosecutor from 1975 to 1980 his office "occasionally accepted information" from reporters: "I accepted it as a reporter would accept a lead."

Leaks: from law enforcers to reporters

A one-way street can go in either direction, and it is common for prosecutors and police to use reporters to make sure that their side of the story will be told in the most favorable way. Collateral benefits flow to reporters, who often receive credit for scoops.

The reporter as crime fighter: Jack Newfield of *The Village Voice* maintains that, while he has helped prosecutors, "they have not helped me." Several articles by Newfield have led to investigations of New York politicians, and in at least one instance he provided the prosecutors with documents he had obtained through the Freedom of Information Act. His rationale: "I felt it was my moral obligation not just to rest with the article in *The Village Voice*. . . . I thought it was perfectly appropriate to go one step beyond."



Janie Eisenberg



The prosecutor as leaker: Maurice H. Nadjari — shown here flanked by New York City Police Commissioner Patrick V. Murphy (foreground) and U.S. Attorney Whitney North Seymour, Jr. — was in 1972 appointed special prosecutor in charge of investigating corruption in the city's criminal-justice system. Nadjari's press secretaries were former reporters; his office was a source of abundant leaks. Although Nadjari secured only a modest number of indictments and fewer convictions, his office received extensive and generous coverage.

In 1981, the federal government took disciplinary action against two government lawyers and five FBI agents for prematurely releasing information about three undercover investigations of public corruption, including the ABSCAM sting operation. A report detailing the disciplinary actions shrewdly analyzed the motives of the leakers, noting that some of them may have been moved by a desire to promote the "institutional image" of either the Department of Justice or the FBI. At that time, the FBI was in particular need of shoring up a reputation that had been tarnished during the 1970s.

The practice of puffing has a long and rich history in law enforcement, with journalists and their publications often

proving to be more-than-willing collaborators. In 1960, *The Saturday Evening Post* ran two articles with the lurid headline "How We Bagged the Mafia." The articles appeared after the convictions of the twenty men who had attended the famous gathering of organized crime figures in Apalachin, New York, but before their appeal was decided. Both pieces were "told to" a *Post* writer by Milton R. Wessel, who led the prosecution. Soon after the articles appeared, all the convictions were reversed on appeal, with a federal appeals court acidly noting that the prosecution had indulged "in highly colored accounts" while the appeal was pending.

In the early 1960s, *Life* magazine was a favored beneficiary of orchestrated leaks from the Department of Justice. Publicity was one weapon in the arsenal built up by Attorney General Robert F. Kennedy in his effort to send Jimmy Hoffa, the Teamster leader, to jail. Memorandums that were later made public show that Kennedy had urged a disaffected teamster to use the pages of *Life* as a vehicle for announcing his break with the union. (The piece, called "I Was on the Top of Jimmy Hoffa's Drop-Dead List," ran in *Life* in 1962.)

An elaborate arrangement with *Life* was worked out in the early 1970s by Whitney North Seymour, Jr., the federal prosecutor for the Southern District of New York — the jurisdiction that includes Manhattan. Robert Leuci, whose life was later chronicled in the book and movie *Prince of the City*, was a controversial policeman who had agreed to work undercover to help develop drug and corruption cases. Leuci, under great pressure, became afraid for his family and demoralized, Seymour recalls in *United States Attorney*. The prosecutors concluded that they "should try to get a responsible journalist to write up Leuci's experiences and show the world that he had done courageous things in the interest of justice." A formal agreement with *Life* was signed, in which the magazine agreed to publish the article when the investigation was over. But the deal collapsed after *The New York Times* learned of the investigation and the unusual arrangement with *Life*. Much to Seymour's horror, the *Times* carried the story about Leuci and the investigation.

For several years, the art of leaking was refined by the office of Maurice H. Nadjari, the special prosecutor in charge of investigating corruption in New York City's criminal-justice system. The position was created in 1972 in response, in part, to articles published in the *Times* that described corruption in the police department.

Nadjari would say, at least when in the presence of *Times* editors, that he owed his job to the *Times* and would resign should the newspaper ever be unhappy with his performance. His first press secretary, William Federici, had been an investigative reporter at the *New York Daily News*. He was succeeded by Ron Maiorana, who was once a political reporter at the *Times*. Not surprisingly, newsrooms were drenched with leaks (including some from defense lawyers), which kept many reporters busy. For most of the four years Nadjari served, years in which I sometimes covered his office as a legal-affairs reporter for the *Times*, his office —

while it was securing only a modest number of indictments and fewer convictions — received extensive and generous coverage. It is perhaps a truism that, by and large, prosecutors who leak to the press can expect to receive more favorable coverage than those who don't.

Working in tandem

Oftentimes, what appear to be gratuitous leaks from prosecutors — and exclusives for reporters — are the result of trades. "If a reporter comes to me and helps by holding off on something he knows, I might give him a slight head start before I announce an indictment," says Mario Merola, the district attorney for the Bronx for the past eleven years.

Robert Fiske, a former federal prosecutor for the Southern District of New York, remembers his shock when a reporter presented him with details of a major investigation his office was conducting. "God knows how he knew," says Fiske, whose office still had an active wiretap in the target's office. "Every day we were still getting good information. Publication at that time would have wrecked the investigation." Ultimately, at Fiske's urging, the reporter did not run the story. In return, Fiske promised that if he had a "whiff" that any other reporter was on to the story, he would notify

the obliging reporter. The prosecutor kept his word.

Cooperation can take more exotic forms. Reporters at KSL-TV in Salt Lake City conducted an undercover test in 1981 designed to find out how easy it was for unqualified applicants to receive food stamps and unemployment compensation. In order to avoid being prosecuted, the reporters obtained the advance approval of the Utah Attorney General. "They promised to deposit anything gained in a safe deposit box, and we determined there would be no intent to defraud," says Paul Tinker, the chief deputy attorney general. The tape the reporters made has been used as a training film for new employees in some Utah state offices.

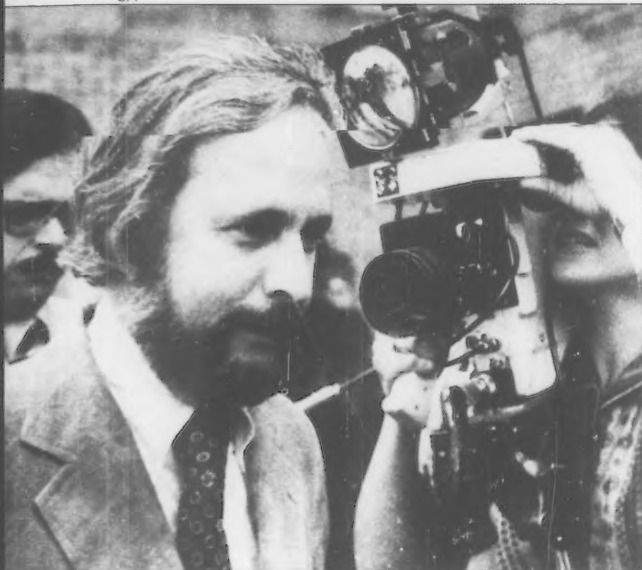
Relationships between reporters and prosecutors are not unlike those that exist between any good reporter who covers a beat and a knowledgeable official. But special problems arise when reporters and law enforcement officers work in tandem. The dangers of collaborating became apparent at a libel trial last spring at which I testified as an expert witness for the New York *Daily News*. The paper was defending a lawsuit brought by a man who had been misidentified in an article as a major heroin dealer in Harlem. The tip concerning the man's iden-



Station and staff as willing collaborators: *News* photographer Ed Reilly, Jr., of WKBW-TV, Buffalo, happened to be on hand when the father of a girl who had been raped stabbed the man accused of the rape. When the district attorney of Erie County asked for the tape, the station manager was willing to oblige, so long as he was subpoenaed. "That happens a lot," says the district attorney. "Reporters feel more comfortable in turning over information when ordered to." Reilly, complying with a subpoena, testified before a grand jury investigating the rape.



both: Mickey Osterreicher



The reporter as noncollaborator: *The reporting of New York Times reporter Myron Farber — shown here entering the Bergen County Courthouse — helped to convince a New Jersey prosecutor to reopen a case. During the trial, Farber was accused of having collaborated with the prosecutor "to concoct charges of murder against an innocent citizen for pecuniary gain." Farber says that his collaborative role was limited: he merely returned a file that he had uncovered and that belonged to the state in the first place. He later paid a stiff price — forty days in jail — for refusing to name sources cited in his articles.*

tity had been provided by law enforcement agents, who claimed at the trial that the information had been given to two reporters on a "background" basis and with the understanding that it needed to be corroborated independently. The reporters did make several attempts at verification, but the mistake was nevertheless made. Sylvester Peacock, the plaintiff, sold hats.

The reporters had written that Sylvester Peacock was an alias used by Frank James, who was believed by drug enforcement agents to be a major narcotics trafficker in Harlem. In the *News* article, Peacock's correct home address was printed.

At the trial, James Judge, the veteran public affairs director of the local office of the Drug Enforcement Administration, testified: "Yes, there was a discussion. These two reporters had been researching Frank James. They provided information to us, which happens sometimes in these kinds of situations, which indicated that they had been working and researching his role at that time in heroin trafficking in New York, and they discussed with us what we perceived to be his role in heroin trafficking in New York at that time. . . . During these meetings sometimes we gather a lot of information from reporters if they have been out working on a specific story; we may gather information from them

that we didn't have before. . . . we would not use that either unless we corroborated it."

After several days of testimony, it was left to the jury to decide whether the article in the *Daily News* was "a gross departure from responsible standards of journalism" — the standard of proof necessary in New York State to sustain a libel verdict when matters of public interest are involved. The verdict went for the *News*.

Compulsion: the long arm of the law

Just as voluntary collaboration takes many forms, so too does involuntary collaboration. Many times journalists mightily resist efforts by prosecutors to compel their testimony. At other times journalists want to cooperate but feel more at ease doing so under the cloak of a subpoena. "That happens a lot," says Richard Arcara, district attorney of Erie County in upstate New York. "Reporters feel more comfortable in turning over information when ordered to."

In Erie County, which includes Buffalo, relations between law enforcement officers and reporters are generally cordial. Early last summer a ten-year-old Buffalo girl was abducted and raped, and that night her father was arrested and charged with stabbing the man later accused of the rape. What lifted this grisly incident from obscurity was that the stabbing was captured on tape by a television crew and later broadcast on WKBW-TV, the local ABC affiliate, and on ABC's *Nightline*. The camera crew had been sent to do a story on the abduction and happened to be on hand to videotape the stabbing.

Arcara wanted the tape; Phil Beuth, the general manager of the station, was willing to oblige, just so long as a subpoena was issued. "In essence, the tape was the same as if someone had recorded it at home," says Beuth. In fact, there is a company in Buffalo that records television news clips each night and tries to sell them to people who are mentioned. Under these circumstances, Beuth thought it would have been absurd not to turn over the tape. (In the fall, the reporter and the cameraman who covered the story were subpoenaed and testified before the grand jury investigating the incident.)

In 1976, *The New York Times* found itself in a similar situation, but took a very different stand from that taken by the Buffalo station. At that time, the *Times* permitted the sale of photographs that were not published, but when Robert M. Morgenthau, the Manhattan district attorney, wanted a copy of a picture that had not appeared in the paper, the *Times* strenuously objected, arguing that compliance would impair the paper's ability to gather news. Morgenthau regarded the picture as essential for the prosecution of a man accused of murdering a police officer in a Harlem mosque, and a subpoena was issued. Finally, an appellate court compelled the *Times* to turn over the picture, which showed where bullets had entered a bannister. (There was no murder conviction.) Shortly thereafter, the *Times* stopped selling unpublished pictures.

To avoid such problems before they arise, some papers now advise their reporters to destroy their notes. This is done at *The St. Petersburg Times*, which also destroys negatives of pictures that do not appear in the paper. "We do

not want to appear to be an arm of the prosecution or an arm of the defense," says Eugene C. Patterson, the paper's editor.

The issue of collaboration figured prominently in the familiar case of Myron Farber of *The New York Times*. Farber spent forty days in jail in 1978 for refusing to obey a judge's directive to disclose the sources of his articles about Dr. X, a New Jersey doctor named Mario Jascalevich who had gone on trial for a series of unexplained deaths that had occurred more than a decade earlier at a New Jersey hospital.

Farber's reporting had helped to convince the Bergen County prosecutor's office to reopen the case, which had been inactive. During the trial, a defense lawyer accused Farber, who had signed a contract to write a book about the case, of having "collaborated with the state's prosecutor to concoct charges of murder against an innocent citizen for pecuniary gain to advance their careers."

Farber has steadfastly insisted that his contribution to the prosecution was limited. Initially, in 1975, he was given access by the prosecutor to an inactive file. Later that year he returned to the prosecution a copy of a deposition by Jascalevich that had been removed from the official file years earlier and that Farber had uncovered in the course of his investigation. "That file belonged to the state of New Jersey, so I returned it," says Farber.

**'There is something wrong
when we in the media [walk]
a one-way street
where it's all right for us to take
and, yes, demand
information, but refuse
to provide reciprocal help'**

Tom Renner of *Newsday*,
president of Investigative Reporters & Editors

A current case raising issues similar, but not identical, to those raised by the Farber case involves Loretta Tofani, a *Washington Post* reporter who won a Pulitzer Prize in 1983 for a series of articles on sex crimes in a Maryland county jail. Some of Farber's sources were not named in his stories; the names of the prison-rape victims and their attackers were published in the *Post*. The Maryland Court of Appeals held that, by publishing the names, Tofani had waived the protection of shield laws.

The legal position of the *Post* and Tofani, now in Japan on a fellowship, is that if a reporter is forced to testify merely because sources are named, other individuals will be reluctant to provide information to her. "If she were to appear before a grand jury," says Farber, "she would re-

duce the opportunity of all reporters to persuade people to talk freely about other subjects."

This argument, however, may not prove convincing in court. In its leading ruling on sources, the Supreme Court in 1972, in an opinion known by its legal shorthand as *Branzburg*, said that "we remain unclear how often and to what extent informers are actually deterred from furnishing information when newsmen are forced to testify before a grand jury."

In a 5-4 ruling, the court held that Kentucky's shield law did not provide immunity to Paul Branzburg, a reporter at the *Louisville Courier Journal*, from testifying about events he had personally observed. (The reporter had interviewed and observed several dozen drug users.) Writing for the court's majority, Justice Byron White said that "we cannot seriously entertain the notion that the First Amendment protects a newsman's agreement to conceal the criminal conduct of his source, or evidence thereof, on the theory that it is better to write about crime than to do something about it."

Given the variety of forms that collaboration between journalists and law enforcement agents may take, it is not surprising that few news organizations have established firm policies. "We don't like to get in bed with any news source," says Pete Weitzel, managing editor of *The Miami Herald*. "But investigative reporters do exchange information. There is no set policy. It is all completely ad hoc. It depends on the relationship that develops between individual reporters and investigators."

For the past twenty-five years, Jerry Uhrhammer, an investigative reporter now working for the *Press-Enterprise* in Riverside, California, has been deciding on a case-by-case basis how much he should cooperate with the police and prosecutors.

In the fall of 1982, he testified as a character witness on behalf of a key prosecution witness at a trial in Eugene, Oregon. Two years earlier, while working at the *Eugene Register-Guard*, Uhrhammer had developed as a source an ex-linebacker who was helpful in his investigation of bogus transcripts belonging to football players at the University of Oregon.

Later, at a trial unrelated to those accusations, Uhrhammer's source was called as a witness for the prosecution, which was attempting to convict another football player of burglary. The defense lawyer tried to impugn the linebacker's integrity. The prosecutor thereupon asked Uhrhammer to testify.

"The linebacker had gone out on a limb to help us," says Uhrhammer. "He put himself on the line. Everything he gave us checked out to a gnat's eyelash. We felt a personal obligation. There was a certain amount of citizenship involved. It was in society's best interest to see justice done."

Like so many of his colleagues, Uhrhammer feels that collaborating with law enforcement agents is inevitable. "Sometimes you give up very little," he says. "Sometimes you give up nothing. Sometimes you give up a bit more than you like. That's trading. It's been done for a long time and will continue to be done for a long time." ■

Nazis, nudes, and naughty words—on PBS?

The public broadcasting brass has invested \$300,000 in a free-speech series, but the stations aren't buying it

by HOWARD L. ROSENBERG

Are American television viewers tired of the homogeneous hokum doled out by jaded network programmers? Does excessive concern for "fairness" make controversial shows so balanced it's impossible to discern a difference of opinion? Should there be a place in prime time for nudity and dirty words?

Absolutely, answers Michael Mears. Mears is convinced that both commercial and public television lack passion and imagination. And he would like to inject a bit. Not too much. Just an hour or so a week.

Mears, who is tall, gangly, and forty-two years old, likes to explore the last frontiers of televisionland, constantly pushing to the edge, testing the limits of tolerance and, some would argue, of taste. For five years he tested tolerance from his base camp in Lewiston, Maine, with a weekly series on public television's WCBB called *Seven Dirty Words*. The series — named after comedian George Carlin's monologue on profanity — featured one-sided programs extolling nuclear power, homosexuality, and handguns and lambasting the CIA, the FBI, the government, and the police. It showed full frontal nudity and introduced programs containing some rather raw language.

There were complaints, of course. Mears says that the station regularly received letters calling him "sick" or "perverted" or a "dupe," but, more often than not, he claims, even his most vehement critics praised the concept of the series and endorsed its continuance.

Convinced that a wider audience was ready for some provocative, unorthodox programming, Mears envisioned a se-

ries, to be aired nationwide, in which no holds would be barred, no limits placed on the views of a minority, and the only censor would be the viewer in control of the television set's on/off button.

In the fall of 1982, he produced a proposal describing the origin and success of *Seven Dirty Words* and outlining his idea for a similar program geared to a national audience. By November of that year he had won converts in the upper echelons of the Public Broadcasting Service and the Corporation for Public Broadcasting.

"This is to express PBS's highest-priority support for the proposed series," wrote news and public affairs programming chief Barry Chase to his counterpart at the CPB, former *New York Times* reporter John Wicklein, in a letter dated November 24. Long admired for his thoughtful coverage of First Amendment issues, Wicklein became a Mears ally, as did Wicklein's boss, Ron Hull, a former program manager of Nebraska's public television network. In short order, PBS and CPB agreed to provide nearly \$300,000 to pay for production of a new thirteen-week series, with

the corporation anteing up the lion's share of the funds.

Everything looked very promising then, when, in late September of 1983, PBS officials suddenly asked Mears to prepare a presentation on his series for the system's annual program fair, which was to be held in St. Louis only a month later. As a rule, new programs are previewed for member stations on special closed-circuit broadcasts. In this case, PBS officials were so eager to unveil their new project that Mears was asked to prepare an oral presentation before he had completed any programs and while he was still acquiring films for the series. As it turned out, this decision proved disastrous for Mears and his aptly named series, *No Sacred Cows*.

In the short time left to prepare his presentation, Mears began to assemble a slide show. He also assembled "survival kits" for the program managers at the fair. The tongue-in-cheek kits consisted of a plastic cassette box that contained, in addition to an information packet, a roll of antacids, a bandaid, a pair of earplugs, and a small box of aspirin to prepare the programmers for the



Mears's Maine prototype: For five years Michael Mears produced and hosted a series called *Seven Dirty Words* aired by the public TV station in Lewiston, Maine. The series, which provided a forum for all sorts of unpopular ideas, did not seek to provide balance.

Howard L. Rosenberg is an investigative reporter who lives in Washington, D.C.



The national mix, including nudity: As part of his projected PBS series, *No Sacred Cows*, Mears plans to air shows like *Romance With a Double Bass*, a film, based on a Chekhov story, that includes nude scenes.

inevitable criticism.

The only one who ended up needing a kit, though, was Mears. On November 1, the day he was to make his presentation, an Associated Press report announced that the series was scheduled to begin airing on PBS on February 5, 1984. Unfortunately, PBS officials had failed to ask the member stations whether they would broadcast the series before trumpeting its premiere date to the press. Thus, by the time Mears ascended the podium in St. Louis, the air fairly crackled with tension.

Abandoning his slide show, which he feared would seem too flippant, Mears began to outline his ideas for the series extemporaneously. He explained that PBS's own mandate prohibits the broadcasting of a partisan program voicing a particular viewpoint if the program itself has been funded by someone with a vested interest in that point of view. In other words, a pro-Nazi film produced and paid for by the Nazi Party could not traditionally be aired on PBS.

Mears — supported by PBS and CPB — hoped to present just this sort of film placed in context by a "wraparound" introduction and conclusion filmed in the studio with Mears and a representative of each advocate group. These wraparounds would explain the rationale for the series itself and how each program fit in. The plan also called for a 900-number call-in segment at the end of each program.

The first few films he intended to air, Mears explained, would include *Midwife* by Michael Anderson, a graphic portrayal of the work of a pair of nurse-midwives in the San Francisco area,

complete with cinema vérité depictions of actual births; *Slaughter of the Innocents*, a visual essay narrated by Surgeon General C. Everett Koop that equates abortion with infanticide; *Choosing Suicide*, a quasi-documentary that records the discussions leading up to a woman's decision to take her own life when she learned she had cancer; Ken Kimmelman's *Yes, We've Changed*, presenting interviews with fifteen "cured" homosexuals; and *Romance With a Double Bass*, a nude romp based on a Chekhov short story and featuring John Cleese of Monty Python infamy.

All in all, it seemed a mix that promised to prick some consciences and also be entertaining. Yet Mears's presentation was met with almost universal hostility, stemming in part from the station managers' resentment at not having been consulted about the series' concept or its scheduling in the February lineup.

On the evening of November 1, PBS executives met in closed session with

members of the system's program advisory committee. The next day Suzanne Weil, senior vice-president for programming, abruptly announced to the assembly that the show "has been withdrawn from the schedule to be rescheduled later, pending further review."

Criticism of Mears, PBS officialdom, and *No Sacred Cows* came from several directions. Much of the criticism centered on the inclusion in the lineup of *Choosing Suicide*, a film that had been aired on PBS several years ago. Programmers argued that it made no sense to show the film as part of a series touted as presenting things that could not get airtime.

Mears defends his choice of films, arguing, "I'm not trying to just put on brand-new programs anyway." Jan Distel-Schwartz, Mears's business partner, who is also his wife, adds: "It's not as if we're saying that all these programs haven't been on television. But maybe they haven't been on enough, or in a national way, or the views have been so distorted by the media [that] we want to present them in an uncensored way."

The distortion implicit in the way much information is packaged on TV is one of Mears's recurrent themes. "There are quite a few people who contend that television is not providing them with time or space to get across their point of view as they would like to get it across. And films like *Yes, We've Changed* and *Slaughter of the Innocents* are perfect examples of that. . . . When Franky Schaeffer [producer of *Slaughter of the Innocents*] shows me documented evidence of the liberal me-



Strong stuff, yes — but the right stuff?

The inclusion by Mears of *Choosing Suicide* — the woman shown here is explaining how she will take her own life — in the list of films he would air struck some station managers as dumb. The documentary had been aired years ago, they argued, so why show it again on a series billed as a bold taboo-breaker?



Midwives at work: Among the seldom-seen films Mears intends to air is *Midwife*, which portrays the work of a pair of nurse-midwives in the San Francisco area and which includes cinema vérité depictions of actual births, one of which is shown here.

dia bias against his position, I don't necessarily buy his statistics, but I think he has a point."

Mears can cite a long list of philosophical antagonists who have endorsed his series' concept. The list includes such unlikely bedfellows as the American Communist Party, the Moral Majority, Norman Lear's People for the American Way, Phyllis Schlafly's Eagle Forum, Amnesty International, the Conservative Caucus, and the American Civil Liberties Union.

"Michael began the presentation talking about the First Amendment and the right of these issues to be heard and the right of the audiences to hear these issues," recalls David Liroff, television station manager for WGBH in Boston and a member of the program advisory committee. "The implication was that these rights were being denied and, in many cases, that simply isn't so. The fact that some of these films have not been distributed in the past by PBS does not mean they have not been broadcast by stations across the country. I think what was giving many of us pause was not the controversial programs, but the rationale of linking programs which featured nudity with other programs that presented controversial programs of public importance."

Mears thinks that such objections are off target. His series is designed, he says, as a "national-access" program made up of three distinct parts. "One is basically an op-ed page where people who believe they haven't had a right to get their point of view on television get to present it. Another kind of access is for those who feel that they have never

been seen on television in the way they see themselves — Native Americans or communists or nudists or political and cultural minorities who would like to have an opportunity to use television to show themselves to America. The third type of access is for viewers who would like to see certain kinds of television that they may or may not be able to see now, like *Romance with a Double Bass*, for instance."

Much of the rancor generated by Mears's project can be attributed to the fuzziness of his presentation, the absence of any attempt to "balance" the series, and the perception by program managers that PBS was attempting to shove *Cows* down their throats sight unseen. "There's a good deal of validity to the charge that there wasn't adequate membership input into the program," admits Barry Chase. "But," he adds quickly, "the very reason for introducing this at the fair was to get input."

Mears is holding firm to his contention

that "balancing" one extreme viewpoint with the other side of the argument would violate the premise and principles of the series itself. After all, he contends, there is no dearth of programming presenting mainstream political and social attitudes.

What are the prospects that *No Sacred Cows* will be seen? Some insiders predict that PBS management will fold under pressure from members who don't like the series' concept and presumably would refuse to air the programs. PBS's Barry Chase says he hopes the program can be modified in a way that will meet the members' objections, but, he adds, "It's also conceivable — but very unlikely — that we won't find a concept that will work."

Mears remains optimistic. "Now that they've beaten my ears back and I've had a chance to hear all the criticism," he says, "I'm delighted that I'll have the opportunity to refine the program and work out something that they will take." Mears can afford to be optimistic since, after all, CPB and PBS have already committed so much money to *No Sacred Cows*. As a result, he will be able to produce at least portions of his thirteen-week series, and it is likely that some of PBS's approximately 300 stations will air a few, if not all, of the completed programs.

Ironically, what happened to *No Sacred Cows* in St. Louis answered some of the questions Mears had hoped to pose in the series itself — questions about who should be provided airtime on public television to express their views, and who should decide what the public wants to see.

Airtime for anti-abortionists: Mears hopes to show controversial films like *Slaughter of the Innocents*, which equates abortion with infanticide. The youth shown here is one of many congenitally disabled people who help to make the case that "disability and unhappiness do not go together."



The copyright con

Magazine writers
beware!
Publishers will
fleece you if you
don't watch out

by TERRI SCHULTZ-BROOKS

Last January, a process-server appeared in my office at New York University bearing notice that three publishers had just sued me for violating the 1976 Copyright Act. The charge: photocopying excerpts of Truman Capote's *In Cold Blood* (Random House); Paul Theroux's *The Great Railway Bazaar* (Houghton Mifflin); and Bob Woodward and Carl Bernstein's *The Final Days* (Simon & Schuster) for twenty-seven students in my Literature of Journalism class.

Seven other NYU professors were also sued by a total of nine publishers for copyright infringement — an action intended to warn teachers around the country to stop the widespread practice of photocopying copyrighted material for classroom use.

The dubious distinction of my being singled out as an alleged perpetrator of copyright crimes was especially ironic, for I am also a free-lance writer whose own copyright has in the past been violated. Since the lawsuit (which was dropped in April, with the university's agreement to guidelines governing future photocopying of copyrighted works), I have learned a lot more than I ever wanted to know about my rights and obligations under copyright law. And the most striking revelation is that publishers, who can afford lawyers, are proving much better at protecting their authors' copyrights — when it is in their interest to do so — than are the authors themselves.

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Publishers of books have a vested financial interest in making sure that their authors' copyrights are not abused, since the publisher — rather than the author — gets the lion's share of profits. Unfortunately, the publishers in my field — magazine free-lancing — have no such shared financial interest with their writers. Unlike their brethren in the book business, whose legal actions to protect copyrights may help fill the coffers of their authors, many magazine publishers have proven especially adept during the past few years at eroding the copyrights, and income, of the free-lancers who work for them.

"It's happening because profit margins in the business have been shaved, and once that occurs corporations will do anything to try and close the gap," says John Ingersoll, president of the American Society of Journalists and Authors (ASJA). With more magazines now owned by a few large companies (Condé Nast, CBS Publications, and Hearst publish thirty-two of the nation's biggest magazines), corporate lawyers skilled at finding legal loopholes to enhance profits "have really gotten their mitts on the magazine-publishing profession," says Ingersoll.

The result is that free-lancers have to know, and diligently guard, their rights under the copyright law.

Only eight months before I was sued under this law, *Savvy* magazine had sold to another publication reprint rights to an article of mine that *Savvy* had published. During a change in editorial staff, new editors mistakenly assumed that I had signed the standard *Savvy* contract allowing the publisher to resell my work and keep half of all future profits. In fact, I had written the article on the basis of a letter of agreement with the previous editor, in which I retained all except first North American rights. This gave *Savvy* the right to use my article first; I could then resell it to whomever I wished and keep all profits. When this was cleared up, I received the full \$200 paid for the reprint, instead of the \$100 *Savvy* offered, and subsequently resold the article

to two other publications — one of them in Japan — for an additional \$500.

The Copyright Act of 1976 protects all authors by allowing them to "obtain" a copyright automatically with the creation of their work. "When the author types the manuscript of his or her novel, poem, play, or article or writes it in long-hand or dictates it into a recording machine, then the work is copyrighted," says Irwin Karp, legal counsel for the Authors League of America. (The previous law, dating from 1909, required an author to publish the work, with the correct notice of copyright, in order to obtain copyright protection.)

This means that a magazine free-lancer, for instance, now holds exclusive rights to reproduce and distribute his or her article, and in theory loses those rights only by signing them away in a contract, or by agreeing passively to a letter of assignment in which the publisher takes more than first North American rights.

However, that news has yet to reach the editorial offices of most magazines. Recently I surveyed twenty-four publications that handle free-lance work, and learned that each one now asks many of its writers to relinquish portions of their copyright. "It's an increasingly bad situation," says Terry Morris, former chair of the contracts committee of ASJA. "And because assignments are becoming more difficult to get, writers will sign anything." It is clear that a climate has been created that fosters violations in spirit — if not in law — of the Copyright Act of 1976.

Item: When free-lancer Mary Alice Kellogg boarded an Eastern flight to Washington, D.C., in July 1980, she opened the airline's magazine, *Eastern Review*, to find reprinted there an article she had written for *Saturday Review* and to which she held all rights. "I called *Saturday Review* and explained that they should have asked for my permission to sell it," she says. "They had just changed editorial staffs, and it's possible

their records weren't straight. But even when I brought it to their attention, I had to call them for weeks to realize even some of the money from the sale of my property." She finally received a check for \$50.

Saturday Review has since changed publishers and staffs, but the high-handed attitude toward authors' copyrights remains pervasive in the industry.

Item: During a discussion last December with a friend at *Newsday*, William Burrows of New York University learned that the Long Island newspaper had reprinted an article of his that had appeared the previous month in *Psychology Today*. Burrows had signed an agreement that allowed the magazine to resell his work and keep half the profits, so he waited for his check. When two months passed and the check still had not arrived, he called his editor, who referred him to the person in charge of reprints. "I found out that the magazine had released the piece to a syndicate, and that a couple of other magazines had also excerpted it," he says. He telephoned "at least four more times" before finally receiving a check four months after his article had been resold. "The irony is that *Psychology Today* is the only magazine that has ever bothered to send me a contract, and then trying to get them to live up to it was like pulling teeth," Burrows says.

Bureaucratic bungling and corporate confusion can occur anywhere. But it is troublesome that it seems to occur so often to free-lance writers. Equally disturbing — and of a much more premeditated nature — are the contracts that publishers are asking free-lance writers to sign.

The two most prevalent forms of trying to defeat the basic aim of the new copyright law are the "grab-all" contract — in which the writer is intimidated into letting the magazine take all rights for itself — and the 50 percent clause which, in effect, makes the magazine a private syndicate by allowing it to keep half of future reprint profits from an article. "I tell our members both these terms are unacceptable," says Murray Bloom, who has been handling editor-writer relations for ASJA for twenty-one years.

Free-lancers often agree to give up

their rights to control the artistic use of, and receive full financial gain from, their work not only out of eagerness to publish or fear of rocking the boat, but also out of ignorance. "Basically, writers are not too astute about contracts," says an editor at a men's magazine, who asked to remain anonymous. "The editor can send out whatever he thinks the writer will sign." An editor at a women's magazine, who also requested anonymity, concurs: "If you have an agent, you're protected; if not, you're out of luck."

It is understandable that magazines need to protect their own interests: to insure that they will be first to publish the article in their circulation area; even to insure that they won't be sued for copyright infringement if the magazine is sold in a foreign PX. But magazines that now ask for "all rights" or "world periodical rights" or "all rights North American" or "first-time world rights" are playing variations on the theme of copyright erosion. Some publications, such as *Better Homes & Gardens* and *Popular Mechanics*, insist that free-lancers sign a "work-for-hire" agreement, which takes advantage of a loophole in the copyright law that allows the publisher to treat the writer as an employee whose work belongs to the corporation once it is created. "Ninety-nine percent of our ideas initiate out of our office, and the writer does the article on specifications we set forth. Usually, the article goes through heavy rewriting and editing," says Gordon Greer, former editor-in-chief of *Better Homes & Gardens*, which is published in Des Moines, Iowa. "We really do feel it is a work made for us." The articles are revised and reused in the company's forty special-interest publications and forty or so books it publishes each year, with no additional payment made to the "writer-employee." Needless to say, the writer-employee receives none of the "perks" of other employees — such as vacation time, sick leave, or medical and unemployment insurance. The Graphic Artists Guild and forty-one other artists, writers, and photographers groups are now supporting hearings in the Senate Judiciary Committee to close up the work-for-hire loophole. But even without this loophole, publishers can (and many will) continue to hijack on a piece-meal basis all the rights they can get.

Indeed, when it comes to the bottom line in the politics of copyright, even magazines at opposite ends of the political spectrum snuggle into the same comfortable bed. The liberal *Nation* and the conservative *National Review* are a case in point: each, in effect, absconds with its authors' copyrights by reselling their work at will. The significant difference is that *The Nation* stamps its right to sell reprints on the back of the free-lancer's check (cashing the check confirms agreement with the terms) and takes only half of the profits. The *National Review* puts nothing in writing, and takes everything. It charges \$5 per column-inch for reprints. "We have no contract, no letter of assignment, nothing formal. But if the writer inquires, we tell them we hold all rights," says Kevin Lynch, articles editor for the *National Review*. (One rare exception is Aleksandr Solzhenitsyn who, of course, knows his rights and keeps his copyright.)

At *The Nation* — as at several publications — interpretation of the contract is hazy. Executive editor Richard Lingeman says authors are "free to sell the article to someone else and not contact us." However, when Susan McHenry, staff editor at *Ms.* magazine, this summer called the free-lance author of a *Nation* article to ask about reprinting the piece, the writer referred her to *The Nation*, believing it alone had the right to resell. And, indeed, *The Nation's* reprint-rights department did confirm that it held the copyright, and took half the money for the sale, even though the writer had been contacted directly by *Ms.*

It is easy to blame editors for this copyright tug-of-war, since they are the ones with whom writers negotiate. But editors are often not the enemy. "Editors often have the writer's point of view, and are extremely uncomfortable about the contracts they're asked to send out," says Terry Morris of ASJA. "But their individual judgment and ability to act have been severely curtailed and guided by the overall policy of the company that owns their magazine."

In fact, top management at some magazines, including *Family Circle* (published by The New York Times Magazine Group), *McCall's*, *Pent-*

house, and *Omni*, tell their editors to offer from two to five different contracts, each one with separate copyright terms, depending on what the author is willing to settle for and how badly the editor wants the article.

"The work-for-hire is our boilerplate contract for fiction," explains the rights editor of one men's magazine that offers two contracts. "But if we're dealing with a Ray Bradbury, we're obviously not going to be able to buy all his rights forever."

Item: When free-lancer Eileen Stukane went to the offices of *New York* magazine to discuss an article she was to write for them, an editor there (who has since moved to another magazine)

asked if she had an agent. "I told her yes, but that I didn't use my agent for magazine work," Stukane recalls. "So she reached in her drawer, took out a contract printed in green ink, and told me to sign it." It was the magazine's work-for-hire contract. When Stukane said she sold only first North American rights — and would not do the article under any other conditions — the editor "opened a second drawer. And there were other contracts — all in red ink!"

They were first-North-American-rights contracts, which in this case included a clause specifying that the magazine and the writer would share proceeds from reprint sales for the first thirty days after publication, after which

time all rights would revert to the writer. The magazine also has a third contract, in black ink, in which it takes "all rights." Deborah Harkins, an executive editor, says *New York* now basically buys only first North American rights for features, and reserves the work-for-hire contract for service articles "that get a great deal of direction from the assigning editor and are usually edited heavily."

People who free-lance full-time are beginning to realize that they can insist on better terms. Dodi Schultz, who writes for many women's magazines, has enough clout to refuse to sign contracts in which the publication keeps 50 percent of future profits from her work. "I just call my editors and say: 'Send



the other contract.' Or I tell them I'm crossing out what I don't like. And if they say 'You can't do that' then I tell them 'I won't work for you.' " She discovered the variability of contracts four years ago, when *Family Circle* sent a work-for-hire agreement stamped on the back of her check. "I called the editor and said: 'I'm not endorsing this check.' The editor told me to send it back, and a few days later I received the same check back in the mail: the first rubber stamp had been crossed out, and a new stamp underneath it was for first North American rights only."

While some editors will not bend for their writers, most do try to balance their corporate interests against their writers' rights. "Half a dozen of us on the staff have been free-lancers," says an editor at CBS Publications. "We're sympathetic to their problems and try to do the best we can for our writers. I spend half my time here arguing with accountants and the legal department on behalf of my authors."

CBS Publications until recently offered its editors four different contracts to choose from, but even the most generous would have won awards for muddy legal prose that, if strictly interpreted, would probably have deprived a writer of most of his or her copyright. In this "generous" contract, the magazine agreed in paragraph three to retain only first North American rights; but in paragraph four it put the writer on notice that "you also grant to us all other rights necessary for the use of the materials in other media, of any kind or nature, including radio and electronic audio visual or similar uses" — wording intended to protect the broadcast company's interests as it enters the videotext market. "I lived with the contract, but I didn't approve of it, and crossed out that paragraph about taking 'all other rights' whenever the writer asked," says the CBS editor. Because of recent administrative changes and pressure from several editors, a new set of contracts — presumably more favorable to writers — is being drawn up.

Hearst and Condé Nast allow editors considerable leeway in assigning rights. "We're one company, but every magazine is different and has different needs," says Amy Levin, editor-in-chief of *Mademoiselle*, a Condé Nast publi-

cation that usually buys first North American rights. At Hearst's *Harper's Bazaar*, editors vary the terms in their letters of assignment depending on writer and subject matter. "We wanted all rights for our own Italian, French, and Spanish editions," says former feature editor Richard Kagan. "Otherwise, it was always negotiable."

With a combination of sympathetic editors and benevolent policy, some magazines have a reasonably good copyright record. *Ladies' Home Journal*, *Self*, *Redbook*, *Mademoiselle*, *Ms.* generally retain only first North American rights and pass along immediately to the writer any requests for reprints.

But the overall attitude in the industry towards free-lance copyright remains nefarious. Why should *Playboy* have the right to prevent a writer from reselling his or her article for six months after publication? Why should so many magazines retain the right to reprint an article in any anthology for free, or for a small fee to the writer? (There's money to be made in anthologies: I received a check last year for \$1,000 from a book publisher for permitting it to anthologize an article I had written for *Ladies' Home Journal*.) Why should so many magazines have the right to reprint an article in their foreign editions — fattened by additional foreign advertising — without paying the writer? (Writers of television shows, who don't even own their copyright but do have a strong union, The Writers Guild of America, get from 15 to 35 percent of the original payment for each foreign telecast. So for a rebroadcast of a thirty-minute prime-time show, for which a writer has been paid a minimum of \$8,933, he or she receives at least \$1,339.95.)

Many writers welcome any additional checks from publishers as "found" money. But other writers would like the option of retaining more control over their work — for artistic if not for financial reasons. When free-lancer Zach Sklar wrote a 5,000-word article for *Geo* in 1981, his contract allowed the magazine to resell the article to The New York Times Syndication Sales Corporation. "My sister happened to be reading an Edmonton, Alberta, newspaper and saw my article," Sklar says.

"She sent it to me and it didn't even make sense. It was cut to a thousand words. It was a mishmash; it was butchered. And I was very embarrassed, because my by-line was on it."

How can writers protect and monitor their copyright? Options are few. ASCAP — the American Society of Composers, Authors, and Publishers — provides one model for consideration. It collects \$165 million a year in royalties for its 30,000 writers and publishers from annual license fees paid by more than 1,000 TV stations and 8,000 radio stations, as well as by concert halls, bars, discos, hotels, airlines, and shopping malls. Special departments — aided by twenty-one district offices — spot-check for violators, who are taken to court for copyright infringement if they refuse to be licensed by ASCAP. In the prose publishing field, the Copyright Clearance Center in Salem, Massachusetts, provides authorization for the photocopying of technical and medical journals by libraries, corporations, and the government. It collects fees once a month for copies made and redistributes the money to the copyright owners — in this case, the publishers of the journals. It is doubtful, however, that licensing and monitoring systems such as ASCAP's and the CCC's could be applied to the diverse and amorphous world of the free-lance writer. The hurdles — organizing the writers, monitoring the use of their work, and enforcing fair payment — are formidable.

Right now, the best each free-lancer can hope for is to insist on retaining as much of his or her copyright as possible at the moment when the terms of an assignment are being negotiated. Under certain circumstances, simply crossing out and initialing offensive parts of a contract may protect a writer from its terms, says Stanley Rothenberg, a New York copyright attorney.

But not every writer has a lawyer to advise him or her on contractual rights. Although each free-lancer may write alone, all must work together to preserve the rights granted them under copyright law. We should read our contracts, understand what we are giving up, and, if there is something in the contract that displeases us, call our editors and insist it be changed. Let the seller, not the buyer, beware. ■

Deep in the heart of Newsweek

What is editor Bill Broyles, a Texan, up to?
And why is badmouthing Broyles a popular sport?

by HILLARY JOHNSON

William Broyles, Jr., the lanky, thirty-eight-year-old Texan who in September 1982 became editor-in-chief of *Newsweek* magazine, swiveled on the vanilla-toned couch in his corner office where he had been sitting with his shoes on the cushion, put his feet on the floor, and began riffling through back issues of *Newsweek* and *Time* spread out on a coffee table before him.

"Indulge me," he said.

For the next several minutes, Broyles methodically paired the newsweeklies by date, before dropping them noisily onto the couch.

"This was the week Reagan sent carriers to Central America. Our cover is 'Gun Boat Diplomacy.' *Time* does 'Japan: a Nation in Search of Itself,'" he said. "This was the week unemployment went up to ten percent for the first time. We put it on the cover — *Time* does John Updike. This was when Debategate was at its height," he continued, holding his magazine's "Debategate" cover aloft. "What does *Time* do? David Bowie."

Broyles began tossing single issues of *Time* onto the pile.

"Nastassia Kinski, Princess Di," he said. "Paul Newman, Robert Mitchum. They do these covers and no one writes that *Time* is 'off the news' — or that they're following their own schedule at the expense of the news. It just never comes up. And then we come out with a cover package on Richard Gere and there are all these stories that *Newsweek* has gone soft."

That Broyles is on the defensive is hardly surprising. Two years ago, his star standing seemed assured in journalistic circles. In ten years, he had co-founded *Texas Monthly* and shaped it into a respected regional magazine with a growing national readership. In 1980 he became editor of *California* (formerly *New West*), as well. By 1982 that magazine's revenues were up a reported 25 percent. Then, in the fall of 1982, Broyles landed what many consider to be one of the top two or three jobs in American journalism. His appointment made him the fifth top editor of *Newsweek* in just ten years. Unlike every other top editor of either *Time* or *Newsweek*, he won the post without apprenticing first somewhere within the newsmagazine culture. His predecessor, Lester Bernstein, was a *Newsweek* veteran of twenty years

under whose leadership the weekly won a National Magazine Award for general excellence in his last year.

Broyles's appointment not only raised eyebrows; it also ignited gloomy speculation about *Newsweek*'s future and the health of newsmagazines in general. Criticism has been harsh — the kind of truculent, unforgiving attacks journalists are properly cautious about making on the public officials they cover, but which they have been known to lavish freely on their own. Under the leadership of this neophyte city-magazine editor from the Golden West, according to some of the severest notices, *Newsweek* had abandoned hard-news coverage in favor of stories about Gay America and gifted children. Internal affairs — specifically hirings and firings — were being poorly handled, too, critics said, with the result that staff morale was lower than at any time in the magazine's history; an exodus of talent was predicted. Broyles himself was said to be an editor who could not lead, who seemed unwilling or unable to master the day-to-day intricacies of a newsmagazine, who lacked a nose for news.

The rumor mill and the turnover factor

Innuendo and rumor have flourished. The stories range from the merely petty to the truly damaging. A tale of Broyles's wife, Sybil, wearing cowboy boots to a dinner attended by Henry Kissinger, and a report that Broyles spent the Sunday afternoon of the Beirut Marine massacre watching the New York Marathon on television in his *Newsweek* office are two of the silliest.

Last fall, a resignation rumor gained wide currency. According to any number of *Newsweek* people, Broyles offered his resignation to Katharine Graham, chairman of the board of the Washington Post company, which owns the magazine, the week after (or during or before, depending on which version one hears) the downing of KAL Flight 007. Others embellish the rumor. According to them, Broyles, on vacation in his East Hampton summer home the week the jet was shot down, expressed relief at having escaped the week's grueling news closing — the implication being that he was not up to the job. Even high-ranking staff people at *Newsweek* appear to believe some version of the resignation story — a tale that both Broyles and Graham deny wearily but categorically.

"I came into the office after Labor Day. I had been on vacation," Broyles says. "My secretary told me I had re-



Hillary Johnson is a writer who lives in New York City. Some of the research for this article was done by John Stern, a CJR intern.



Editor-in-chief William Broyles, Jr.

signed." "It's just a ridiculous rumor," says Graham. "It's total fiction. Total. Nothing like it happened — not anything of that kind."

Underlying these rumors, it would seem, there is only one truth: Broyles is perceived as an interloper in the half-century-old newsmagazine tradition — an interloper, moreover, who lacks the right stuff to carry on that tradition.

"It's so hard on a magazine — and it's hard on Bill," Graham said recently, seated behind a barren desk in her *Newsweek* office. And, later: "People just basketwove because of Bill's coming in from *Texas Monthly*. But we are a conspicuous publication, and maybe we catch the most lightning."

Undoubtedly, a reason for *Newsweek's* conspicuousness has been the turnover among its top editors. After more than a decade of stability with Osborn Elliott at the helm in the sixties — a period during which *Newsweek* rose from second-rate to "hot-book" status by its enterprising coverage of civil rights, youth, and Vietnam — no editor has survived more than three and a half years.

If *Newsweek* is in trouble, says Ed Kosner, a former

Newsweek editor who is now the editor of *New York* magazine, it is because of the turmoil created by change at the top. "*Time* is like the old Green Bay Packers," says Kosner. "They just make touchdown after touchdown. *Newsweek* keeps getting a new quarterback every season. It's not generally a recipe for sustained success."

Graham, who assumed the chairmanship of the Washington Post Company upon her husband's death in 1963, also assumed responsibility for hiring and firing. Change has been constant not only on the editorial side, but on the business side as well. In eleven years, there have been seven presidents of *Newsweek*. "Most of the decisions were made collectively," Graham says. "And I deplore them. It's very counterproductive, and you only do it if you and others feel it is necessary." She adds that people "magnify" the changes at *Newsweek*, which are not out of line, she believes, with those at other large publications: "I think there have been three presidents of *USA Today* already." (She's right.)

Oddly, according to one Wall Street media analyst, change at *Newsweek* has been so endemic that in financial quarters it has come to be viewed as business as usual. "She's fired a lot of people. I would not assume it would imply problems, since it's happened so often," says J. Kenneth Noble, Jr., first vice-president of Paine Webber Mitchell Hutchins. "It's like Paley's last years at CBS — it was a revolving door over there, too."

Is *Newsweek* going soft?

For all the vehemence of Broyles's detractors — few of whom will speak on the record, none of whom will speak for attribution — there are signs that at least one of the charges against the man from Texas is a bum rap.

A recent, informal tally by CJR of hard versus soft cover stories is one indicator. Since the start of the Broyles regime, this tally suggests, the ratio of hard-news covers to soft-news covers has been slightly higher than during Lester Bernstein's last year. Additionally, *Newsweek* surpassed *Time* in hard-news cover stories by at least four issues during Broyles's first fourteen months. *Newsweek's* management began keeping score several months before CJR did, when *Newsweek* president Mark Edmiston, himself new to the job, felt sufficiently threatened by the "soft" talk that he ordered an in-house study of the matter. His staff has used the study as a sort of visual aid to present to advertisers rumored to be nervous about the magazine's editorial direction.

"Word that *Newsweek* was going soft did become an issue with a number of accounts," Edmiston says. "But once they took the time to look at our study it no longer was an issue." He insists that the magazine lost no advertisers to the soft scare.

Newsweek continues to vigilantly track covers, as evidenced by Broyles's own defensive tactics during a recent interview. As of mid-November, *Time* — according to *Newsweek* — had published twenty-four hard-news cover stories since Broyles began; *Newsweek* had published thirty-three; *Time* had served up twenty-five "back of the book/feature" cover stories since Broyles began; *Newsweek*

fifteen. All such comparisons are, of course, open to the criticism that they are subjective. Indeed, says Katharine Graham, "I think that kind of inch-by-inch measurement is nonsense." But, she adds, "If it proves you haven't gone soft I suppose it's fine."

Newsweek executives point an accusing finger in the direction of Time Inc.'s headquarters on Sixth Avenue when assigning the blame for their image problem along Madison Avenue. Edmiston, who calls the tactic "throwing marbles on the floor," charges that "Time Inc. wrote to advertisers and ad agencies saying *Newsweek* is going soft, but it was also word of mouth. It put our salesmen on the defensive."

Business-side executives at Time Inc. deny the existence of any such campaign, with a caveat that they are unable to control what is said by their sixty-person-plus advertising staff over lunch or cocktails. *Newsweek* loyalists are unconvinced. Maynard Parker, for example, who is second in command at *Newsweek* under Broyles, says he has seen Xerox copies of the memorandums circulated by Time.

Parker, unlike Broyles, grew up in the *Newsweek* system and, after stints as bureau chief in Indochina and managing editor of the international edition, considers himself "a very hard-news person." Broyles selected Parker, who had been a contestant for the top job, from among a handful of *Newsweek*'s high-level editors to be in charge of the day-to-day, nitty-gritty affairs of the magazine.

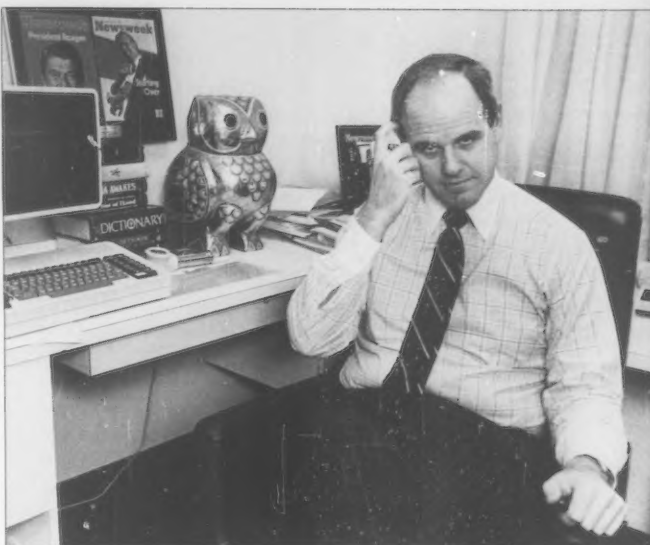
In a division of labor new at *Newsweek* but long established at *Time*, Broyles leaves line editing to others, focusing his attention instead on the half-dozen biggest stories each week, as well as on long-term projects like last fall's 20,000-word piece on capital punishment, a hefty subject that Broyles chose to illuminate through the experiences of one convict, and the fiftieth anniversary issue, in which fifty years in the lives of five Springfield, Ohio, families came under the scrutiny of *Newsweek* journalists. Cover stories are Broyles's decision, though he says he does not run the magazine by fiat: "There is a sense of consensus here; it's a collegial leadership."

Bad blood, new blood — and a bumpy start

One strand of the conventional gossip about Broyles is that he is out of touch with his staff. Senior editor Lynn Povich, a *Newsweek* employee since the sixties and one of the very few current staff members willing to speak on the record, observes, "He is southern and soft-spoken and polite" — qualities that tend to make New Yorkers slightly suspicious. Povich adds, "People feel he is somewhat distant and aloof." Gerald Lubenow, who was *Newsweek*'s San Francisco bureau chief for fourteen years and left recently to become assistant to the executive editor at the *San Francisco Chronicle*, says, "In a personal sense, I think Broyles didn't quite make contact. He made an effort to come around and talk to all the bureaus, but he never really connected with the New York staff."

The firing of two long-time employees shortly after Broyles's arrival shocked staff members. One of those fired, a Washington correspondent, sued the company; a settlement included a mutual agreement that the journalist and *Newsweek* would not publicly malign one another. The

CAP/Harvey Wang



Editor Maynard Parker

other, senior writer Elizabeth Peer, who says she came to *Newsweek* "in [her] bassinet" twenty-five years ago, says that she has been offered her job back.

"I think what happened," a veteran *Newsweek* staff member speculates, "is that they were bringing in all the new geniuses from *Rolling Stone* and *California* and had to get the masthead cleared for the new blood." Broyles did import four editors — from *Rolling Stone*, *California*, *The Denver Post*, and *The New York Times* — to hold key editorial positions. But there have been relatively few firings; instead, there has been a lot of reshuffling. Of fifteen top editors, only three have the same jobs after sixteen months of Broyles. A handful of them left, most of them for what they considered better jobs; others were moved into different slots. The biggest changes have come in bureaus, where there has been an influx of seventeen newly hired or promoted correspondents, as well as nine departures, two of which were involuntary. Broyles, asked about the dismissals, says that he wishes he had the luxury available to Time Inc. managers to move journalists from magazine to magazine to "revitalize" them.

Another ground for grumbling, particularly in the first several months of Broyles's reign, was the perception that he was not providing adequate direction. Kenneth Auchincloss, *Newsweek*'s managing editor, believes that this perception arose because of Broyles's "sensitivity" to his position as an editor from a distant coast coming into a well-established eastern organization. Broyles, Auchincloss continues, "has acted slowly; the price he has paid is that some people are confused about his game plan." Broyles, for his part, says: "I think I would have been extraordinarily ill-advised to have come in and made major changes before I had become better aware of the magazine and its possibilities." His first year's priority, he says, was staffing.

And, thirdly, there was the matter of Broyles's news judgment, which to many seemed distinctly idiosyncratic.

In his second week at the magazine, Broyles made a spectacular miscalculation: he decided to stay with a cover of Princess Grace even as the first reports of the Phalangist massacre began to flow in from Middle East correspondents; *Time* put the massacre story on its cover. Graham and Broyles admit that the choice was an unqualified error. By all accounts, Broyles's junior colleagues knew it was a poor decision even as it was being made, but they lacked the courage to contradict their new boss.

Broyles says he was unaware that it was technically possible to change a cover at such a late hour, and adds that no one told him. If he could do it again, he says, he would switch "in a minute." And yet, while hardly a succès d'estime, the Grace cover was a huge commercial success, proving to be the best seller of 1982. *Newsweek's* coverage of the massacre, interestingly, was more vivid and authoritative than *Time's*. The former opened with absorbing eyewitness accounts; the latter's story was cautious ("First reports were fragmentary . . .") and thin by comparison.

Broyles and Parker made one other serious misjudgment. Last May, two cover stories that were separated by a week lavished attention on the fraudulent Hitler diaries. Known around *Newsweek* as Hitler One and Hitler Two, the covers earned the magazine critical disdain. Hitler One was roundly booed for lacking journalistic skepticism, and for its inane conclusion that, in the end, the genuineness of the diaries "almost doesn't matter." Parker and Edmiston had, in fact, each made two trips to Europe to negotiate a price for the diaries but, in conference with Broyles, had ultimately decided against the purchase. Hitler Two, published after the fraud had been exposed, was *Newsweek's* decision to "bite the bullet," Broyles says. After all the hype, however, the bite seemed woefully tardy.

So what's new at *Newsweek*?

Broyles's appointment inspired debate about his corporate mandate, his own preferences, and the murky question of just how much change a newsmagazine can tolerate while honoring its franchise, which is, according to Broyles, "to hold a mirror up to the world once a week and make sense of it." Many observers assumed that Katharine Graham's unconventional choice was a clear sign that she sought radical alterations. Graham refutes such speculation: "I think changes in editorial direction of anything other than an evolutionary kind are counterproductive. We just want what everyone wants in a publication — vitality and ideas."

"When I first came," Broyles recalls, "people were looking at every issue as a sign of where the magazine was going. Each became fraught with a significance far beyond what it really had. But if you look at the last fifty-two issues, it has been a reasonably traditional year. We covered all the breaking news stories."

In recent months, in fact, Broyles and his team have been calling "Stop press!" with a vengeance, as if still feeling the sting of the Grace gaffe. Last October, to cite one example, Parker and Broyles delayed the magazine's press run by fifteen hours to put the Beirut Marine massacre on the cover.

What else has changed during the Broyles watch? The

most obvious changes are graphic ones. Covers, particularly soft covers, have been untraditional: a story about infertility was illustrated by a forlorn teddy bear in the bottom corner of an otherwise all-white cover. Pictures inside are larger and put to more dramatic use than in the past, as are headlines and subheads. Quotes are pulled from the text and highlighted in boxes, part of a general effort, Broyles says, to give a sense of immediacy and "being there" to the reader, as well as the impression of hearing the speaker's voice unfettered by layers of reporting and editing.

"There is a sense of authority at *Time* — you see it in the writing, you see it in the graphics," Broyles says. "We have less sense of ourselves as an institution, and more

'A flurry of Texana swept over *Newsweek* pages between July and mid-October last year. For Texans, at least, Broyles has restored regional balance'

sense of an audience out there. Our coverage doesn't have the shroud of group journalism over it."

In truth, the essence of Broyles's journalistic virtuosity may lie in his sense of how to present a story on a page. Bold, engrossing design clearly is a religion with him. Later this year, Broyles says, *Newsweek* will unveil a major redesign of its pages that promises to "push at the limits of the newsweekly form." To that end, designer Robert Priest, who most recently designed the new *Esquire*, has been at work for a year. Broyles coyly refuses to describe the new design, but he indicates that it will lead the magazine farther into the stylish realm it has entered.

There will be other changes: a new column that will provide correspondents with a forum for writing, and new back-of-the-book sections, possibly one on health. And there will be an effort, as Broyles describes it, "to push out the writers' style . . . to avoid the overcooked vegetable effect, where you process and steam all the direct, observed experience out of an event."

Broyles's effort to "push out" writers' styles occasionally has gotten out of hand, particularly in the case of *Newsweek's* special issues. "To Die or Not to Die," published in the October 17, 1983, issue, was a twenty-five-page marathon of new journalism that, at times, read like a drug-store novel: "He was the child, one of six, of a howling, brawling, whiskey-soaked marriage that survived for three months on love and 21 years on malice. . . ." The piece was promptly satirized by Alexander Cockburn in his *Village Voice* Press Clips column. Robert Christopher, a former *Newsweek* executive editor who teaches a course in news-magazine writing at Columbia's Graduate School of Journalism, complains of "self-indulgence" at *Newsweek*. "I

would be surprised if there were ten people who got through the Springfield, Ohio, issue," says Christopher. "In a news-magazine you should be constantly vigilant not to bore people, and I think these issues make people's eyes glaze over."

Neither Broyles nor Graham finds the pieces boring. Graham thought the capital punishment piece was "terrific." Broyles plans three or four "big acts" — in-house jargon for the special issues — a year.

The westward gaze of the urbane cowboy

If Broyles has transported from his western magazines a fondness for longer stories, reporting that hasn't had the vitamins steamed out of it, and esteem for writers — whose tasks he considers to be more difficult than editors' — he has also imported a westerner's view of the nation. A collection of rusty snippets of barbed wire is arrayed on a wooden plaque on his office wall. Barbed wire, he explains solemnly, was a salient force in the cultural and technological life of the West. He keeps a gray Stetson on an antique desk that belonged to his great grandfather, the founder of a string of small-town newspapers in Texas.

"More than half the people in America live west of the Mississippi," says Broyles. "That's a physical fact that has not been matched by a psychological realization among people in New York." If Broyles can be said to have an editorial ethos, it is probably that notion.

A *Newsweek* story about what it is like to live along the U.S. side of the Mexican border has the Broyles stamp; a sidebar in a cover story about gays called "Living the Life in Dubuque" reflects Broyles's determination to bring "regional balance" to the magazine, too. Certainly, there has been a lot more of Texas in *Newsweek*. In the first issue Broyles edited there appeared a feature about a show of Japanese Buddhist sculpture at a Fort Worth museum; a later issue praised another exhibit at the same museum in its art section. A flurry of Texana swept over *Newsweek* between July and mid-October last year. Seven stories, ranging from a report on teen-age suicides in a Dallas suburb to a fluffy item about a Dallas artist, Bob (Daddy-O) Wade, and some large dancing frogs, appeared in four months. For Texans, at least, Broyles has restored regional balance.

Another infusion of Broyles's western sensibility, writers and senior editors say, has been his effort to shift the staff from dogged coverage of what Broyles calls "Washington policy stories" to interpretive reporting that explores the effects on citizens of decisions made in Washington. In some cases, his disdain of straight capital reportage may have served Broyles poorly. *Time* probably beat *Newsweek*, for example, in its coverage of Reagan's defense-budget speech in April. Both publications chose to play the story on their covers, but *Time*'s longer, more comprehensive report probed deeper into Reagan's motives and timing.

Broyles is also comfortable taking sides; there has been an increase in editorializing in *Newsweek*, some of it highlighted as such, like the October 1982 issue called "Jobs — How to Get America Back to Work." Later stories that year included a piece called "Is Covert Action Necessary?" (which argued that it was a useful tool, "less hideous than war"); "What Reagan Should Do" (which criticized Rea-



Katharine Graham, chairman of the Washington Post Company, which owns *Newsweek*, and Broyles at the magazine's 50th anniversary party, held last February

gan's handling of Soviet relations); and "Where to Cut Defense" (which advocated cancelling the MX and B-1 weapons systems).

Broyles has twice entered the pages of his own magazine to write about Vietnam, where he served as a Marine infantry lieutenant. In an article about the war memorial in Washington, he reports that he wept at the site. "I cried because I couldn't help it. It was beyond knowing." He recalls a "suicidal patrol" he and his buddies were commanded to carry out by a drunken major. "And so we faked the patrols on our radios, talking to each other from a few feet away as if we were crossing rivers, climbing hills, taking up new positions," he writes. "We weren't about to risk our lives for him. For each other, yes, but not for him."

Unquestionably, if Broyles holds a strong opinion he will assert himself. Sometimes the imposition of his heartland values rankles staff members. Senior editor Lynn Povich recalls a move among *Newsweek* editors to put comic Eddie Murphy on the cover. Broyles backed the choice until he saw Murphy's movie *48 Hours*. "He thought the movie was too violent and he didn't want to be seen as advocating violence," Povich says. "Personally, he has a sense of moral rectitude that can be rather preachy, which journalists don't exactly take kindly to."

For Broyles, the torrent of criticism has been just another big-city hardship, "part of the territory in a job like this — you soldier on." What's important, he insists, is the strength of the magazine, which he says has seen increases in newsstand sales, insert-card subscriptions, and renewal rates under his editorship. "Our bigger changes are only now about to come," says the confident Texan, holder of one of the most changeable jobs in journalism. ■

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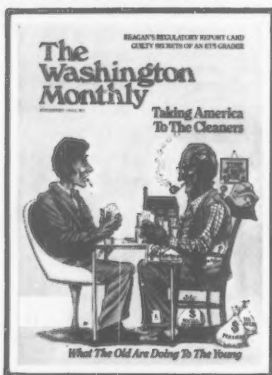
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Sleuthing on local TV: How much? How good?

What news directors have to say about investigative reporting

by CHARLES BURKE

I was told to expect a poor return in my survey of investigative reporting. After all, TV news directors would sooner hire a gap-toothed anchor than fill out and return a questionnaire. Not necessarily. Of the networks' 299 affiliates and o-and-o's (owned and operated stations) contacted in the top 100 markets, 175 (59 percent) responded. That's a substantial return by any standard. And it reflects, I believe, the extent of interest in investigative reporting.

There was one quotable exception.

CBS headquarters sent a card that dismissed questionnaires as "onerous and time-consuming." Ergo, no response from WCBS-TV. Apparently, the other two New York o-and-o's were also put off. They didn't respond either.

I point this out, without undue petulance, to note the possible skewing effect of the Big Apple absence. Investigative reporting as practiced there is not represented here. Other network o-and-o's (including CBS's) did respond and the "return" cuts across most (91) markets surveyed.

The survey took place last spring. One hundred and twenty-one news directors responded to the first mailing; 54 others

to the follow-up. Incidentally, several news directors and investigative reporters provided advice on the framing of questions. And the term "investigative reporting" was defined in the questionnaire according to the standard used by Investigative Reporters & Editors in making their awards:

- ☐ A matter that some person(s) would rather not see publicly revealed
- ☐ Substantially the own work-product of the reporter(s)
- ☐ A matter of importance (usually significant improprieties or wrong-doing)
- ☐ Directed to the public good

Who's doing it? The average number of

Charles Burke, a former ABC News correspondent, teaches broadcast journalism at the University of Florida, in Gainesville.



full-time reporters at the 175 stations was 10.5. Of those, 3.14 (30 percent) were said to do investigative reporting "at least periodically." However, only 6 percent were assigned full-time to what Pulitzer Prize-winner Paul Williams in *Investigative Reporting and Editing* called the "more original and conscientious reporting."

Put another way, 58 (33 percent) of the 175 stations had at least one full-time investigative reporter. Twenty-three (13 percent) did *no* investigative reporting, full-time or otherwise. Most of these cited both "lack of money" and "lack of qualified personnel" as a direct cause. None felt "legal considerations (libel, etc.)" was a consideration.

Seven (30 percent) of the 23 stations doing no investigative work considered such "likely" in the "foreseeable future." More (43 percent) didn't, and 26 percent were "unsure."

Still, there's a relatively healthy supply of investigative units. Of the 58 stations with any full-time investigative reporters, 49 (84 percent) had an "I-team or something similar." Two others professed to be gearing up I-teams; another was "hopeful" of doing so; and two reported scrapping their teams for "lack of productivity."

Investigative teams were not confined to larger markets. Half were in the top 20 — that is, markets with potential audiences of one million to six million. But three of the smaller markets with potential audiences of approximately a quarter million also had such units.

How much gets aired, and how good is it? The majority (66 percent) of news directors were less than delighted with their station's investigative output. Eighteen (12 percent) of the 152 doing any investigative reporting said they were "extremely unsatisfied" with the *quantity* of such stories. Fifty-three (35 percent) were "unsatisfied" and 30 (20 percent) were "neutral." The remainder were either "satisfied" (30 percent) or "extremely satisfied" (3 percent).

The same group turned around on the question of *quality*. Sixty-four percent were either "satisfied" (49 percent) or "extremely satisfied" (15 percent) with the quality of their investigative stories. Only 3 percent registered "extreme" dissatisfaction.

Investigative stories aired at the av-

erage rate of one and a half per month. The time frame on this and like questions was the "last two years." (I took the liberty of throwing out a few inordinately high numbers. For example, one news director reported an average of sixty investigative pieces per month. Likewise disqualified on this count was the sole news director to twang the old saw: "all reporting is investigative." He reported five such stories per month, without benefit of any full-time investigative reporters. On the other hand, a station in the second largest market, with an I-team, reported a like number. I chose to accept this figure.)

One must conclude that there is still some confusion as to what constitutes "investigative reporting." One must wonder also about the two news directors who reported no investigative work, but volunteered that "we subscribe to NIWS" — News Information Weekly Service, produced by Telepictures. As if a syndicated service could compensate for investigative coverage of one's own area.

Does it help the ratings? Whatever their attitudes toward investigative output, news directors seem determined to keep plugging. Sixty-two percent intended having investigative-reporter hours "stay about the same." Another 36 percent intended to *increase* the time investment, whereas fewer than 3 percent foresaw any "decrease."

If that doesn't suggest that TV is taking its journalistic responsibilities more seriously, consider this: fully half (51 percent) of the news directors at stations doing investigative reporting remained unconvinced that it "means higher ratings." (Let's hope station managers don't get wind).

How do we get at the story? "Covert" techniques (hidden cameras or mikes) were employed by 96 (64 percent) stations doing investigative work. They had used covert approaches in an average of 3.8 stories over the last two years. One reported 22 such stories, whereas 51 (53 percent) used covert techniques in one or two stories. Twenty-nine (19 percent) said they had not used such techniques.

Less common was the "undercover" approach — i.e., reporters "representing themselves as other than journalists." Forty (27 percent) reported going

"undercover" at some point in the previous two years. Thirty-one of those (78 percent) did so in only one or two stories.

As a kind of technological aside, news directors were asked: "How many reporters doing investigative stories use computers to store or tabulate information they have gathered?" Sixteen stations (11 percent) had reporters using computers in this way.

What do you hear from the lawyers? Investigative reporting necessarily invites subpoenas or search warrants. Forty-five (30 percent) of the stations reported demands, over the previous two years, for "out-takes." Eighty-nine (59 percent) were called on to produce "air pieces." Notes were "requested" of 35 (23 percent). And the news people at 52 stations (34 percent) were issued subpoenas.

Not that all of the above were forthcoming. A news director in a top-10 market allowed that, "even though subpoenas for out-takes and air pieces happen with relative frequency, we have never had to produce out-takes." Another noted an injunction attempt to suppress a story; "the judge refused."

Libel suits were visited on 37 (24 percent) of stations doing investigative reporting. "Privacy" suits preoccupied 16 (11 percent). Nine (6 percent) were cited for alleged "trespass." There is no suggestion that investigative ardor was chilled by such suits, perhaps because no station reported paying either "actual" or "punitive" damages. Seventeen (11 percent) did pay "additional legal fees" as a result of suits. Two (1 percent) coughed up court costs, and six (4 percent) thought it prudent to settle out of court.

Still, not all the chips are in. Sixteen news directors said they were waiting for trial dates. Six were already in court. And four said they had been "threatened" with suits. These latter comments came unsolicited and apparently reveal only part of a legal iceberg.

In conclusion, investigative reporting in local TV appears to be firmly rooted. And the prognosis for growth is good, because many news directors appear to want more and better. In short, if management commits the resources, TV journalism at the local level could finally come of age. ■

Raiding the newspapers

The quality of TV investigative reporting would seem to be very uneven. Mel Martin, news director of WJXT in Jacksonville, recently screened investigative entries for Columbia's DuPont awards. He saw some "excellent" work, but was "shocked" to find that "most [entries] were about as investigative as fenceposts." "It's amazing what some consider investigative reporting," says Mackie Morris, chairman of broadcast journalism at the University of Missouri. Morris, a judge of TV entries for Investigative Reporters & Editors' awards,



Clarence Jones: formerly, The Miami Herald; now WPLG, Miami

says that only "a small percentage" of entries are "original" and "substantive."

WJXT's Martin frequently hires from newspapers, and the reporters he takes on "generally do the investigative work because they have the sources and the know-how." Steve Johnson, assistant news director at WRC in Washington, D.C., believes that such hiring is "a nationwide trend." Johnson's boss, station manager Dave Nuell, snapped up four reporters from *The Washington Star* when it folded two years ago. Their mission in TV was to "background and develop original stories."

In its effort to beef up its investigative output, TV has gone after some of print's heavyweights. Pam Zekman and James Polk brought along Pulitzers to WBBM (Chicago) and NBC News, respectively. Likewise armed with print awards were Dick Krantz (WTTG, Washington) and Clarence Jones (WPLG, Miami). The four had labored a total of forty-five years for newspapers.

The flash of green admittedly colored Jones's decision to jump media. He "couldn't raise a family" on his *Miami Herald* salary and quickly doubled his income via TV. Krantz estimates that TV reporters in Washington average \$15,000 more than counterparts at *The Washington Post*. Polk figures he commands twice as much in TV and adds that TV salaries "keep going up."

Adjusting to more money was presumably easier than confronting other idiosyncrasies of TV. The "performance" factor in TV was particularly daunting. Jones characterizes as "atrocious" his first attempts at "voicing" his scripts. He claims that "even my relatives didn't recognize my voice, it was so stilted." Polk and Zekman turned to professional voice coaches.

Writing for TV presented another hurdle. Zekman had to learn to "simplify" and write "very succinctly." She says, "It turned out to be fascinating, because simplifying doesn't detract from the stories." A newspaper editor once diagnosed Jones's writing as symptomatic of "typewriter diarrhea." "Learning to write short" for TV, Jones says, was his "most difficult transition."

The basics of investigative reporting apparently remain the same for these journalists. Krantz finds "the legwork is the same in TV." Zekman says that "almost everything [she does] involves getting the records." TV and print depart most radically in the reliance of the TV reporter on the camera. It is at once bane and benefactor.

Pam Zekman: formerly, the Chicago Sun-Times; now WBBM, Chicago



"You have to be more persuasive in TV," says Zekman. Getting "targets" and "victims" to go on the record is one thing; getting them to go on camera is "something else." Zekman points to "countless, often frustrating hours" spent staking out a target for purposes



Dick Krantz: formerly, The Louisville Times; now WTTG, Washington, D.C.

of a picture. Jones can "spend a month just to get surveillance pictures." Additional weeks are spent editing all the video and preparing documents and statistics for visual presentation. Polk says the need for pictures "makes us work harder."

If the camera complicates the TV reporter's lot, it can also enhance it. Zekman, for one, believes the video affords "heightened credibility," whereas "there's always a credibility gap in print [given] the tendency of some to disbelieve reporters' quotes." All four media jumpers agree that TV makes for greater impact in terms of audience size and reaction. All agree that they get more tips in TV thanks to "closer audience identification" with the individual reporter. However, Jones considers such "celebrity" a mixed blessing. He grumbles that TV exposure has made it virtually impossible to go undercover.

None of the four investigative reporters, not Zekman or Polk, Jones or Krantz, expresses misgivings about "going TV." Jones does admit to an occasional twinge of "nostalgia for newspapers, but the feeling doesn't last long." Says he: "My attitude is, when TV investigative reporting is at its best, print can't compete. The problem is, TV isn't always at its best." C.B.

He-man, she-woman: Playboy

For many popular magazines, a fierce scientific debate has only one side

by BARBARA BECKWITH

Mass-circulation magazines, ranging from *Cosmopolitan* and *Playboy* to *Reader's Digest* and *Science Digest*, have recently placed their imprimatur on a new scientific theory holding that men and women think, feel, and behave in different ways because their genes urge them to do so. As *Cosmopolitan* put it in March 1982, "Authorities now say nature, not nurture, makes him thump and thunder while you rescue lost kittens and primp." Proponents of this theory, the magazines point out, can cite a sizable body of evidence — it includes brain studies and experiments with hormone-injected rats and primates — to support their contention that men are genetically "predisposed" to be better at mathematics and more aggressive than women, for example, while women are predisposed to be more intuitive and nurturing than men.

Claims of this sort, which are supported by the theory of human behavior known as sociobiology, are highly controversial. Many anthropologists, geneticists, biologists, and philosophers insist that it is all but impossible to untangle the genetic contribution to human behavior from the environmental-cultural contribution. They argue, too, that even if it can be shown that there is a correlation between male-hormone activity and behavior such as fighting, there is no way to know if the hormone activity caused the fighting or vice versa. The methodology of the theory's proponents has also come under heavy criticism. "Only the selective use of data enables sociobiologists to claim that there are universal sex differences in behavior,"

Harvard biologist Ruth Hubbard and Boston University chemistry professor Marian Lowe have written; "only false reasoning allows them to conclude from this that these differences therefore are genetically determined." There is, in fact, no consensus; in the case of genes-and-gender science the academic jury is still out.

But on the drugstore magazine rack, the case is closed — or, rather, it was never opened up. Popular magazines, perhaps carried away by their delight at finding scientific confirmation for traditional notions about the proper roles of men and women, have largely ignored critics of the new theory. Thus, *Cosmopolitan* ran three articles in 1982 and 1983 in which sociobiological theories about sexual differences were treated as hard scientific fact. *Reader's Digest*, in a November 1982 article condensed from *Playboy*, informed its 30 million readers that "Twentieth century science is uncovering unexpected news about our separate inheritances as men and women." A similar failure to distinguish hypothesis from fact was evident in *Playboy's* announcement in January 1982 that "Word has begun to leak out from the cool, impartial world of scientific inquiry . . . that men and women are chemically and behaviorally as different as two sides of the same coin."

The same theme has been sounded by *Science Digest*, which, in 1982 and 1983, published four articles in which the biological explanation of gender differences was presented virtually without qualification. One of these articles consisted of several short pieces suggesting a genetic basis for, among other things, depression in women, the sexual double standard, polygamy, and rape.

Some of the traditional women's magazines have also been quick to embrace the new theory. A July 1981 article in *Mademoiselle* was careful to use words like "might" and "could" in describing the possibility of innate sex differences in such traits as aggressiveness and in math and verbal skills, and the author acknowledged that scientists are divided on the issue. But by the end of the article science had become monolithic, with

"scientists . . . coming to believe" that hormones code each sex's brains differently in infancy. In conclusion, the article suggested that men and women "may have built-in limits and tendencies," such as an innate responsiveness to infants in women and a tendency to roam and to defend territory in men. An article in the *Ladies' Home Journal* of May 1981 stressed the importance of "the secret 'sixth sense' shared by all mothers," i.e., the maternal instinct. A mother knows, the article pointed out, just why her baby is having a 3 A.M. crying jag, or why her high-school-age son is sneaking in after curfew — and she also knows instinctively when to cue father to tongue-lash his son, or else to give him the "manly hug" which only she can intuit that he needs.

On those occasions when magazines have acknowledged that the theory of innate gender differences is a subject of fierce dispute among scientists, critics of the theory have seldom been given equal time. In its 1981 article, *Mademoiselle* cited the work of nine scientists who see sex differences as at least in part genetically determined, while naming only one scientist who disagrees. *Playboy*, in a series of seven articles that ran in 1982 and that recently appeared in book form under the title *Sex and the Brain*, was even more one-sided. The series described the work of fifty researchers suggesting genetic explanations of gender differences but did not cite a single critic. When the authors were asked during a television debate last June why they had included no criticism in their presentation, they replied that this had not been their topic. *Newsweek*, by contrast, in a six-page cover story titled "Just How the Sexes Differ" (May 18, 1981), was careful to include arguments on both sides of the issue. But that article also stacked the deck in favor of biologically oriented explanations by describing research that supports such explanations as "an emerging body of evidence" which "scientists now believe."

Critics of the new theories about gender differences do not lack scientific cre-

Barbara Beckwith is a reporter for the Brookline (Mass.) Chronicle-Citizen.



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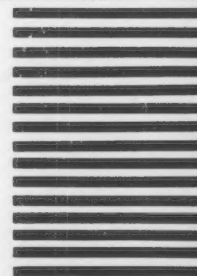
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and Cosmo groove on genes

dentials. Their ranks include anthropologists Eleanor Leacock (author of *Myth of Male Dominance*) and Ashley Montagu (editor of *Sociobiology Examined*), and Harvard paleontologist Stephen Jay Gould, winner of the 1981 American Book Award for science. Some of these critics do more than simply find fault with sociobiology — they suggest an alternative model of human behavior. Gould, in *Ever Since Darwin*, has described that alternative as “the concept of biological potentiality — a brain capable of the full range of human behavior and rigidly predisposed toward none.” He adds, “Flexibility may be the most important determinant of the human consciousness.” In the view of the critics, human behavior is much too complex to be broken down into the discrete, relatively simple “traits” with which the sociobiologists and other gender-difference researchers work. Noting that the father of sociobiology, Edward O. Wilson of Harvard, had studied ants before addressing himself to human behavior, Gould observed in *The New York Review of Books*: “Ants behave, in many essential respects, as automata, but human beings do not and the same methods of study will not suffice.”

In contrast to their critics, sociobiologists view humans as limited by their genes. “The genes hold culture on a leash,” Wilson has written, adding that the mind is locked inside biological constraints. These constraints, Wilson argues, are an impediment to the achievement of equality of the sexes: “Even with identical education for men and women and equal access to all professions, men are likely to maintain disproportionate representation in political life, business, and science.” The genes themselves, it would seem, work against affirmative-action goals.

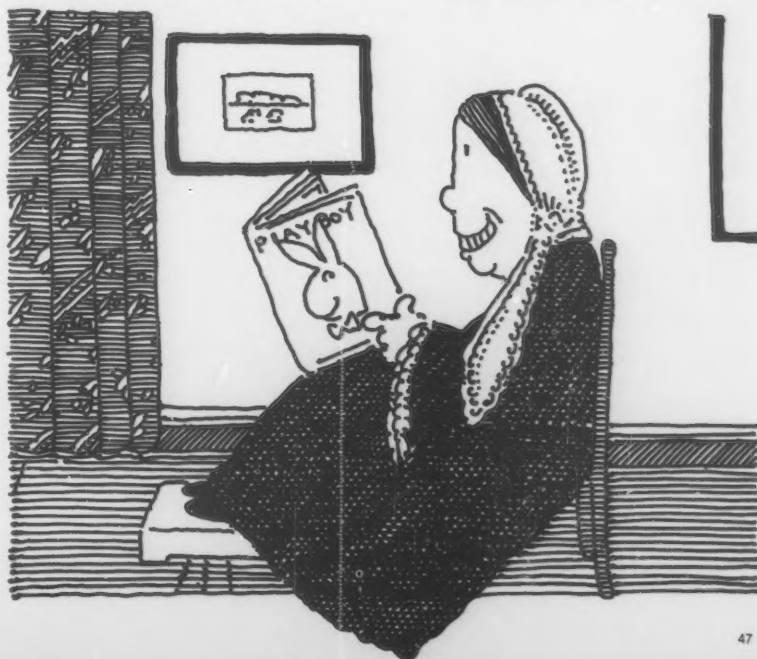
Magazines have been quick to pick up on the genes-as-limits idea. *Science Digest*, for example, illustrated an article on sociobiology with a sketch of nude bodies tightly wrapped in chains of DNA. *Cosmopolitan* and *Playboy*, for their part, traced out in detail the practical implications of genetic restraints. In a November 1982 article titled “Why

the Sexes Still Rage at Each Other,” *Cosmopolitan* suggested that perhaps men and women don’t get along because of each sex’s “intractable core . . . of masculine or feminine traits.” The author ended by advising women not to blame men (“snarling . . . won’t help”) for their uncaring ways, since, in men, “Nurturing does not come naturally — when present, it is not instinctive but learned behavior.” A mirror-image article in *Playboy* asserted, “It’s time to face the facts. . . . [Males and females] are governed by separate natural impulses. Males tend to be more promiscuous because in times past that was their best way to reproduce more offspring.” Noting that men are “compelled by their gender to be rogues,” the article advised the magazine’s male readers, “If you get caught fooling around, don’t say the Devil made you do it. It’s the Devil in your DNA.”

By way of legitimizing aggressive male sex behavior as a biological imperative, *Playboy* has amused its readers with accounts of sixty-pound elephant penises, chimp testicles three times the size of men’s which produce “huge amounts of sperm,” and red deer stags’ “sneaky-fucker strategy” — while “the big boys are quarreling, they sneak

around back and get it on with the females.” Even rape, *Playboy* suggested in an April 1981 article, is very likely “genetically based . . . a strategy genetically available to low-dominance males that increases their chances of reproducing by making more females available to them than they would otherwise acquire.” *Psychology Today*, as well as *Science Digest*, has noted that a tendency to rape may be innate.

Eventually the notion that there is a genetic basis for many differences in male and female social behavior will either gain the consensus of scientists, or it will sink into scientific oblivion, an idea that failed to stand the test of time. But even if it does sink, the trendy zeal with which so many magazines have taken up this explanation of gender differences may cause the theory to live on in the popular consciousness. Once it has become firmly rooted there, its highly conservative characterization of the “different natures” of men and women may not only affect public policy relating to affirmative action, day care, the sexual double standard, and parity in employment and political power, but may also reinforce traditional attitudes of tolerance toward rape and other forms of violence against women. ■



C.J.R./Kimble Mead

Too good to be true

The adventures of
a TV producer
who picked up where
The New York Times
left off

by SANDY GOODMAN

Some stories — or at least their packaging — are too good to be true. Take, for instance, the editorial prelude of a September 14 *New York Times* metro-section piece headed BRONX NEIGHBORHOOD: 'ONE BIG FAMILY.' According to the prelude, a report on crime brought out by a Cleveland-based company called Figgie International had ranked the South Bronx neighborhood of Belmont "among the safest in the United States." I had never heard of Figgie International, but the prelude assured me that Figgie's findings were based on "some objective statistics and some subjective observation."

Since the South Bronx is notorious for its lawlessness, the fact that a safe haven was tucked away in its midst seemed to us at *NBC Nightly News* a story worth telling to our national audience. I was assigned to help prepare it.

Before asking for a camera crew to go with me to the Bronx, I read the front-page metro-section piece. Reporter Christopher Wellisz described a tightly knit, predominantly Italian neighborhood of 25,000 whose residents had "stayed put" as surrounding areas were abandoned to "crime and devastation." One resident described Belmont as "one big family"; others were quoted as saying they felt safe walking its streets and sitting outside their houses, even at night.

In his carefully written article, Wellisz pointed out that, while crime is by no means unknown in Belmont, community actions discourage it, and that, while a recent report — i.e., the Figgie report — had listed Belmont as one of

the safest communities in the country, the local precinct police were unable to provide him with crime statistics for the area. Despite this lack of statistics, Wellisz reported, the police regarded Belmont as "one of the safer neighborhoods in the South Bronx."

That last statement struck me as peculiar. It is obviously a very long jump from "one of the safer neighborhoods in the South Bronx" to the Figgie report's description of Belmont as among "the safest" in the country.

Following in Wellisz's footsteps, I contacted the New York City Police Department to ask about Belmont crime statistics. There weren't any. "It would take us a month to collect them," explained Inspector Robert Burke at police headquarters. When asked whether Belmont was one of the nation's safest places, a desk sergeant at the 48th precinct, which includes Belmont, replied, "You sure couldn't prove it by me."

Support for the newsworthy conclusion was no easier to get from Figgie's New York public relations firm, Ruder Finn & Rotman. When I phoned, the person to whom I was referred, Ms. Arney Rosenblat, explained that all the "raw data," including a Police Department statistical report, had been sent to the warehouse. Later that day I picked up a copy of the Figgie report, as well as a batch of press releases, at the offices of Ruder Finn & Rotman. From the press releases I learned that this was the fourth Figgie report on crime and that, since September 1980, the reports had been the subject of more than 1,500 newspaper, magazine, and newsletter articles and of some 200 broadcast reports. Figgie International is described as a Fortune 500 company, with 13,000 employees and \$710 million in sales, whose forty divisions and subsidiaries make everything from automatic sprinklers to industrial machinery and sporting goods.

But nowhere in the press releases could I find any reference to the Belmont section of the Bronx. And it was only near the end of the report, in a chapter titled "Safe Communities," that I found any reference to Belmont.

At the beginning of the chapter, the Figgie researchers explained that they used 1981 FBI Uniform Crime Reports, "among other sources, to identify a cross-section of some of the safest places in America." There followed a list of fifteen communities, including Belmont. (Belmont was the only neighborhood on the list; all the other localities were small cities, towns, counties, or suburbs.)

The only other references to Belmont were brief quotes from Captain Thomas P. Cox, commander of the 48th precinct, who said, among other things, that the people of the neighborhood had "strong family ties" and that community groups were "very intertwined and coordinated with the Police Department. . . . In Belmont," Captain Cox concluded, "we have the reverse of all the factors that criminologists say lead to crime."

The chapter provided no statistical evidence that Belmont was one of the nation's safest neighborhoods; in fact, it contained no figures on any of the "safest places." When I again approached Ms. Rosenblat of Ruder Finn & Rotman, explaining that I was still seeking statistics, she referred me to Dr. John Crothers Pollock, president of Research & Forecasts, the wholly-owned subsidiary of Ruder Finn & Rotman that had conducted the survey at the behest of Figgie International. Dr. Pollock had news for me. Belmont, he said, had not been chosen on the basis of FBI figures (although, he said, all the other safe communities had), because the FBI does not break down crime in neighborhoods. Why, then, had Belmont been selected? For two reasons, Dr. Pollock explained. Because of newspaper articles, particularly one that had appeared in *The New York Times*, and because of a New York City Police Department report on crime statistics. I asked Dr. Pollock if he had a copy of the report; he said he did not have one handy but that I might be able to get one from the research assistant who had prepared the "Safe Communities" chapter, Abraham Gorlin. Dr. Pollock gave me Gorlin's home phone number, explaining that Gorlin no longer worked for Research & Forecasts.

Sandy Goodman is a field producer for *NBC Nightly News*.



Playing up safety at Belmont: *The Times's caption for the photo shown at left called Belmont "reportedly one of safest communities in the country." The report that inspired the article was, in turn, inspired by a previous Times article. Below, a contrasting view of the South Bronx neighborhood.*

Before contacting Gorlin, I dug out the *Times* article to which Dr. Pollock had referred. It had appeared on February 10, 1981. Written by Barbara Basler, it was similar in many respects to Wellisz's piece. Basler called Belmont "a small island of safety in the South Bronx" where "there is life in the streets after dark and no one worries about the sudden stranger with a gun or a knife." Basler cited statistics by the then precinct commander demonstrating that crime in Belmont was much lower than in the rest of the precinct. Still, in 1980, the neighborhood had 4 killings, 270 burglaries, and 34 robberies — a lot of crime for a community of 25,000. By comparison, Ridgewood, New Jersey, another community of about the same population listed among the Figgie report's "safest places," had no homicides that year.

When I contacted Gorlin, he confirmed that Belmont had been chosen largely because of the 1981 *Times* story. He went on to say that he had examined a June 1982 police report on complaints and arrests for the 48th precinct, but had not found it very useful because it did not contain a breakdown for the Belmont neighborhood alone. When I asked him whether *NBC Nightly News* should do a story on Belmont as one of the country's safest places, he replied: "There is no scientific way to establish that Belmont is a low-crime area. You can't statistically validate it. I would stay away from it."

When I told Gorlin the next morning that we had scrubbed the story, he said he thought we had done the right thing.

CJR/Harvey Wang



We then talked for a few minutes, which proved to be very educational. When I asked Gorlin why it was impossible to demonstrate statistically that Belmont was a low-crime area, he replied that no census of its population was available; without a reasonably exact figure, it was impossible to calculate the crime rate. So much for the "objective statistics" mentioned in the *Times* prelude. When I asked whether he or a colleague had ever visited Belmont, he said no; he had gotten his quotes from Captain Cox over the telephone. So much for the prelude's "subjective observation."

When I asked Gorlin why, without any statistical evidence, the Figgie report had included Belmont on its list of fifteen of the nation's safest communities, he replied: "The research people are very unhappy about it. If it were up

to them, Belmont would not have been included." But, he went on, Research & Forecasts lacks the independence of other survey firms, such as Gallup and Yankelovich, because it is owned by Ruder Finn & Rotman "and so the emphasis is on public relations. The client," Gorlin said, "felt that a New York City community should be included for publicity."

I didn't think much about Belmont for the next week until I got a phone call from Ms. Rosenblat, my contact at Ruder Finn & Rotman. She wondered if we were still interested in doing the story. When I said that we had decided not to proceed because we couldn't confirm that Belmont really was one of the safest places in the country, she replied: "If you can't believe *The New York Times*, who can you believe?" ■

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Recapping the game

Supertube:

The Rise of Television Sports

by Ron Powers

Coward-McCann, Inc. 320 pp. \$17.95

by JOHN O'CONNOR

American sportscasting abhors nothing so much as a moment of silence. One of the more dramatic illustrations of this phenomenon was provided a couple of years ago during a live satellite broadcast of the Wimbledon tennis matches in Britain.

In a spurt of patronizing generosity clearly meant to poke fun at the competition, the incessantly chatty network announcers switched for a minute or so to the audio feed of the BBC, during which time no more than a dozen carefully chosen words were spoken. The BBC emphasis was on the game itself,

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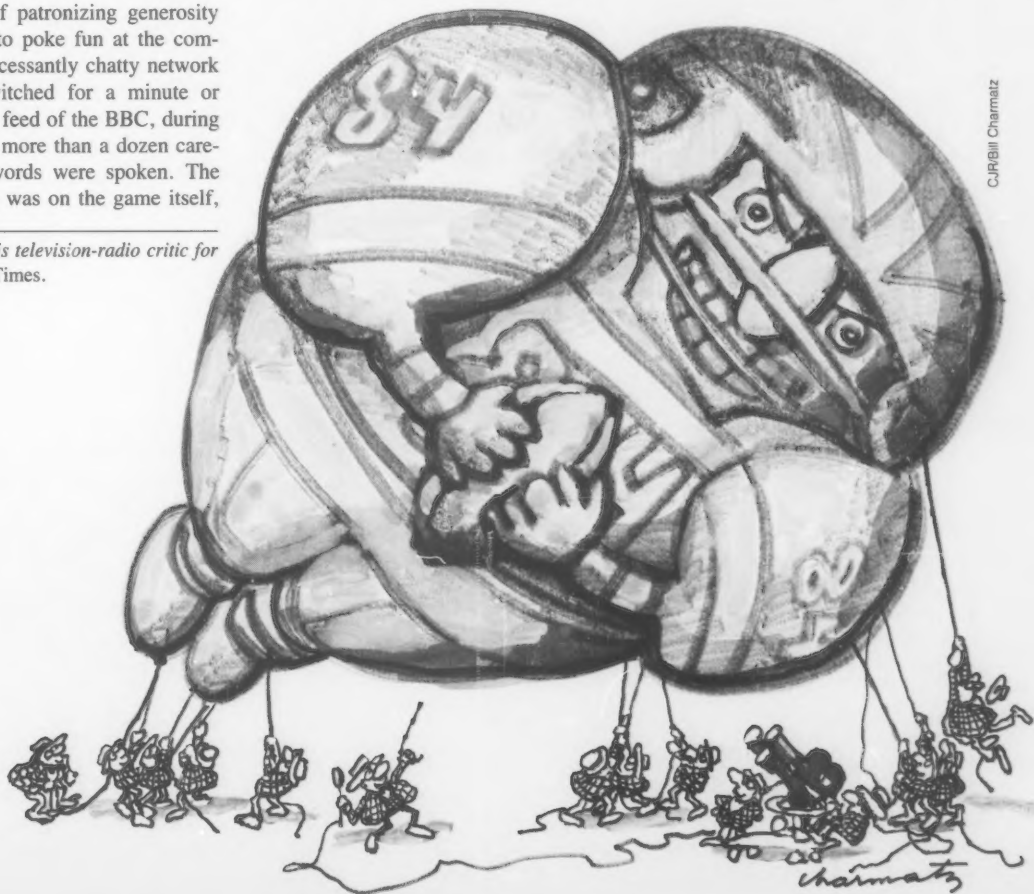
not on the performances of the TV "entertainers."

The intended joke backfired to some extent. I, for one, received many letters from readers grateful for the brief respite from the normal flow of trivia. Nevertheless, American sportscasting on television has, for better or worse, established its own special identity. It is aggressive, spunky, colorful, and, in visual terms, hyperkinetic. It is, certainly, its own self, and in *Supertube: The Rise of Television Sports*, Ron Powers, who once received a Pulitzer Prize

for his newspaper TV criticism and who is now a TV media critic for CBS, explains how and, to a lesser extent, why the "state of the art" evolved.

Perhaps not by chance, the book is being published in a year when ABC will be televising two Olympics specials: the winter games in February from Sarajevo, Yugoslavia, and the summer games in July from Los Angeles, California. Building on its extraordinary ratings success in past Olympics, the network now is planning unprecedented coverage of this year's events. Glossy promotional brochures have been flowing out to the print press for at least six months.

Also not by chance, perhaps, the Powers book opens with a compilation, in somewhat mock heroic style, of the money that will be spent and the wonders that are being promised in ABC's cov-



CJ/R/III Charmatz

erage of the games. That much out of the way, the author segues into a lively and entertaining history of television sports, going back to the 1930s and recalling the contributions of such memorable announcers as Bill Stern, Don Dunphy, Mel Allen, and Red Barber. Much of the focus, though, stays understandably on ABC and, in particular, on the role of a single individual named Roone Arledge.

In the process, Powers underscores two key points. Whereas many viewers might assume that TV, in its sheer massiveness, simply absorbed sports into its orbit, Powers says it was the other way around: sports "forced their way into the mainstream of TV programming only after decades of indifference and active hostility on the part of the highest network executives. The conduit for this forced access was a succession of professional advertising men, acting as surrogate network programmers." At the top of this heap, certainly, was A. Craig Smith, a marvelously inventive Gillette executive who made the *Gillette Cavalcade of Sports* a dominant presence in the TV sports picture of the late 1950s.

Powers's second concern, or preoccupation, is with Arledge himself. The author posits "the elemental fact that Roone Arledge, in the years since 1960 and to a degree not readily apparent from the vantage point of the video-saturated eighties, reinvented television." How? "He did so by calling on impulses gleaned from sources as varied as Lionel Trilling in a Columbia University classroom and his [Arledge's] wife's momentary drift of attention in a college football stadium. He augmented the power of these impulses by a willful nature and by his ability to utterly discard the past."

As the reader might gather by now, there is a tendency on the part of Powers to canonize Arledge. The TV executive, now in his early fifties, is portrayed in his younger days as dreaming of a series that would be based on great works of art, music, and literature. While I in no way would denigrate that ambition, the demonstrable truth is that Arledge has subsequently shown little more than a keen sense for the superficially theatri-

cal. In 1960, he delivered an unsolicited memo, outlining his ideas for televising college football, to a powerful ABC executive named Edgar Scherick:

"Heretofore, television has done a remarkable job of bringing the game to the viewer — now, we are going to take the viewer to the game!! . . . We must gain and hold the interest of women and others who are not fanatic followers of the sport we happen to be televising.

Women come to football games, not so much to marvel at the adeptness of the quarterback in calling an end sweep or a lineman pulling out to lead a play, but to sit in a crowd, see what everyone else is wearing, watch the cheerleaders, and experience the countless things that make up the feelings of the game. Incidentally, very few men have ever switched channels when a nicely proportioned girl was leaping into the air or

'Gimme a break!'

In his recently published book Gimme a Break! (McGraw-Hill, 236 pp., \$14.95), the irrepressible Warner Wolf replays the highlights of his colorful career in television sportscasting. The excerpts below take us behind the videotape at ABC, where Wolf worked in the late 1970s. He left that network amid controversy in 1980 to go to CBS.

One part of your job as a play-by-play man is reading promos. My first year on *Monday Night Baseball*, we were doing a Pirates-Reds game from Cincinnati. ABC was to carry the PGA golf championship a few days later, and I had the duty of hyping it. They'd give you cue cards: "Next week, live and exclusive! The PGA golf tournament from Duluth, Georgia! Friday, Saturday, Sunday! Right here on ABC Sports!" I read it *before* my first inning of play-by-play and *after* my first inning. After my second inning, the producer says, "Read it again." That made three times in two innings.

After my third inning, he's back on my earphones.

"I want you to read that again," he says.

"I won't read it again," I tell him. "Let Prince read it or Uecker read it."

"I asked *you*. Why won't *you* read it?"

"Because I can't. I've plugged it enough. I've promoted the thing for the last time. I'm beginning to feel like a shill."

All right, fine. Next inning, Prince reads it. He sounds good. Great reading job. Terrific. I'm glad Prince is reading

it. Except at the end he gets this gleam in his eye, turns to me and says, "Warner, what do you think of the PGA?"

"Truthfully, Bob, I don't play golf. And I've never belonged to a country club."

All of a sudden I hear the president's voice over the earphone. He was in the truck, had heard what I said, got on the intercom, and says, "You don't have to play it to read it!"

After the game I was going back to the hotel when I saw the producer. "You know, you really hurt yourself with that one," he said.

July 5, 1976, the week after the Fiedrich game. We're in Philadelphia for the Phillies against the Dodgers. The Phillies have just returned home in first place after a ten-game road trip. They're meeting the Dodgers, one of the best teams in the West. That morning we go to the producer's room for the production meeting. Everybody's batting around ideas for the opening.

"I think we ought to give 'em something like this," I said. "Camera pans around the stadium, theme music begins. I go, 'Ladies and gentlemen, you're looking at sixty thousand fans in Veterans Stadium, Philadelphia. The fans in this park are here to welcome home the hottest team in baseball.'"

"You mean you want to emphasize the winning streak?" the producer says. "Don't be silly. The fans don't care that much if the Phillies are hot. They're here because yesterday was the Bicentennial. They want to see the fireworks display."

See, the producer had to get that fireworks angle in. ABC was going to

leading a band downfield. . . . In short WE ARE GOING TO ADD SHOW BUSINESS TO SPORTS!"

Whatever one's opinion of the basic formula, it has to be recognized that it worked brilliantly for both Arledge, whose career as a top ABC executive was securely launched, and for ABC, which gradually went from a poor third place among the three networks to a position of at least equal power. Interest-

ingly enough, the Arledge formula has not been able to secure first place in the ratings for ABC News, a division he now also heads. Perhaps the spectacle of Gerardo Rivera interviewing Barbra Streisand for a full hour on 20/20, just before the opening of her latest movie, does not impress true news addicts.

In general, *Supertube* tends to be overly sympathetic to the ABC Sports crew. Powers is clearly less friendly to

the traditional and presumably more stuffy ways of CBS. This skewed viewpoint leads him into questionable judgments, most notably his strained defense of Howard Cosell. One of Arledge's more controversial employees, Cosell became the ultimate loudmouth of American sportscasting. Powers attributes much of the criticism that has been leveled at Cosell to his being Jewish, something that never for a second oc-

televised the fireworks display at the end of the game, and his job was to keep hitting viewers over the head with it. So go big with the fireworks and the Fourth of July angle, he said.

Hey, sure, a few thousand might be in the stands for Bicentennial Week. But most of them were there for the Phillies, I argued.

"You're fighting me," the producer announced.

Cincinnati, summer of the 1976 season. Cubs against the Reds. Once again it's my job to set the theme in the opening. I figure, well, the Reds have beaten the Cubs seventeen of the last eighteen times. A real mismatch. No way the Cubs are going to beat the Reds tonight. Gotta go with the truth. Get right out there and admit it. Gary Nolan, who won fifteen for the Reds that year, going for the eventual World Series champions.

As I'm about to go on, the president of ABC Sports gets on at the end of the earphone and says, "Don't mention the Reds' domination over the Cubs."

"But it's true!" I tell him.

"Yeah, but it'll scare the audience away."

"The audience isn't dumb. The baseball fan knows. The Cubs are in last place and the Reds are in first place. The Cubs are nineteen games behind."

"Hey," he says, "the Cubs are playing good ball now."

"You mean the two out of three they won in San Francisco?"

"Well," he says, "that's what you want to play up."

So, I went on the air and said, "Cincinnati Reds versus Chicago Cubs! Cubs

lost seventeen out of eighteen to the Reds over the last two years, but the Cubs are coming in here after winning two out of three in San Francisco over the weekend." Moral of the story: Sometimes there can be a compromise, as long as you don't compromise *yourself*. You can't fool the audience. The Reds won the game, by the way, 3-2.

In February 1977, a year after the winter Olympics, I went back to Innsbruck. ABC sent me there to do a skiing race for *Wide World*. All right, not bad. In and out, stayed in the hotel, went out to the hill a few times, did the race, and came back to New York to do the voice-over for the skiing piece. We had all this footage of the hill, the town, Pierre Salinger's favorite restaurant — all the places viewers saw the previous year during the Olympics.

"All right, Warner," the producer says, "on the voice-over here, let's tell the people how great it was to return to Innsbruck, which was ABC Sports' home for an entire month in 1976."

I looked at the guy like he was joking. It almost seemed like he was reading an instruction sheet to me off a cue card. I said, "It wasn't very great being in Innsbruck this time compared to the last time. How could it be? It wasn't the Olympics. No way I'm going to say that. My feeling going back there was a two compared to a ten. Nobody was there, no Olympics, no nothing."

"Warner, that's just not the way we do it here," the producer said. "This is *Wide World of Sports*. It's great when we send you back over there, especially if the viewers remember we were there

the year before. We're going to open up the show with the mountains and all . . ."

"Listen," I told him, "if you want a travelogue, go call James J. Fitzpatrick, the guy who used to do the short subjects in the movie theaters." I think the producer might have been too young to remember Fitzpatrick, because he had sort of a blank look when I told him.

I'll never forget the last week of April 1976. I'm still under contract to the ABC network, plus I'm doing my side appearances on the six o'clock news for WABC. Remember, Channel 7 in New York is wholly owned and operated by the ABC network. I go on the sports and say, "This weekend on ABC you're going to see Honest Pleasure in the Kentucky Derby and Jimmy Young versus Muhammad Ali for the heavyweight championship of the world. All I can say is Jimmy Young has about as much chance of beating Muhammad Ali as the other ten horses have of beating Honest Pleasure. In other words, *none*." Then I laughed, signed off, left the station, and went home.

I got home about 7:30, day's work done. I'm sitting down to a nice dinner with my wife and family. Suddenly the phone rings. My wife answers it. "It's for you," she says. I grab the phone and it's the president of ABC Sports.

"Warner," he says, "in one sentence you shot down two of the greatest events we have coming up this week. What are you doing? You work for us, you're on our team. You can't go around knocking off two of our events with one shot. Knock the other networks."

curred to me in writing a string of unfavorable reviews of his on-air performances. In brief, Cosell has always seemed little more than a shrewd opportunist, outrageously mangling the language and relentlessly bent on promoting only himself.

For all of this, *Supertube* is a solid and often hilarious sourcebook for anyone even remotely interested in sports. Powers brings his special wit and insight to everything from Gorgeous George the wrestler to Don King the boxing impresario. He skewers the hustlers and catches the colorful essences of the scene's more improbable characters. He covers a lot of territory (some chapters could easily be expanded into full-length books), but he plunges ahead with a sharpness that is nearly always admirable.

Bulldog editor

Good Times, Bad Times

by Harold Evans
Atheneum. 430 pp. \$17.95

by PERS BRENDON

"You little fucker. I'll come in there and wring your neck." Thus spoke Charles Douglas-Home, the newly appointed editor of *The Times*, to his recently sacked predecessor, Harold Evans, who had refused to vacate the editorial chair. Their struggle for dominance at the London Thunderer forms the climax of Harold Evans's compelling tale of ambition, intrigue, and treachery in the high places of British journalism.

"How could you betray your editor?" Evans asks his former deputy. "I would do anything to edit *The Times*," Douglas-Home replies. Yet despite appearances, Douglas-Home (his name is pronounced Hume, he is a nephew of the ex-prime minister, and his family motto is "True to the End") is not the villain of Evans's book. That role is reserved for the latest owner of the world's most famous newspaper — the world's most notorious press magnate.

Rupert Murdoch has never before

Piers Brendon, author of The Life and Death of the Press Barons, lives in Cambridge, England.

been subjected to such a bitter, sustained, and authoritative attack. Not only does Evans condemn Murdoch's extreme brand of sensationalism (epitomized by headlines like LEPER RAPES VIRGIN and HEADLESS BODY IN TOPLESS BAR), but he also reveals that the Australian proposed to introduce Tombola ("up-market Bingo") to *The Times*. Evans exposes the emptiness of Murdoch's promises and the cynicism with which he broke guarantees of editorial freedom, quoting his admission that "They're not worth the paper they're written on." Evans shows how Murdoch uses his newspapers for commercial and political advantage — the publisher's diatribes against "pissing liberals" are quite in the Colonel McCormick vein. And Evans demonstrates that Murdoch has a Hearstian disdain for serious journalistic responsibilities, citing his insouciant comment on the fiasco of the publication of the fake Hitler diaries: "After all, we are in the entertainment business."

Douglas-Home, before his elevation to the editorship of *The Times*, used to refer to Murdoch as a monster. That is precisely how Evans portrays him, from the "thick black hair on the back of his hands" to the "lethal" charm with which he establishes his newspaper dictatorships and conducts his human sacrifices. Evans quotes a *Times* journalist on his proprietor: "One minute he's swimming along with a smile, then snap! There's blood in the water. Your head's gone."

Evans broadens the indictment with a long introductory account contrasting the benefits of independence that he enjoyed as editor of *The Sunday Times* from 1967 to 1981 under the publisher Lord Thomson. Indeed, he uses Thomson as a stick to beat Murdoch with, a procedure not altogether justifiable. To be sure, Thomson was willing to permit a degree of autonomy to his editors, even to those overseeing his segregationist rags in America's Deep South, provided they made money. But his sole criterion for judging the worth of newspapers was profit — he made an exception of *The Times* for the unique prestige it conferred — and most of his papers, under orders to exert the widest possible appeal, have



Harold Evans in his office at The Sunday Times in London in February 1981, just after being appointed editor of The Times by new owner Rupert Murdoch

been deeply conformist. Surely the tigerish republicanism of a Murdoch is healthier than the craven monarchism of a Thomson.

Be this as it may, there is no doubt that at *The Sunday Times* Evans became the outstanding editor of his day. At the time he took office, he says, the quality press was practicing "invertebrate journalism." It had capitulated to restraints imposed by a draconian Official Secrets Act, savage libel laws, and contempt-of-court proceedings instituted with senile vigour by reactionaries on the judicial bench. It is not much of an exaggeration to say that freedom of the press in England was being kept alive by the satirical magazine *Private Eye*, which at least had the courage of its iconoclasm, although its revelations are so mixed with scurrility and mendacity that it can scarcely be regarded as a serious member of the fourth estate.

Evans attacked the British disease of secrecy. He had to go to America to find out about the spy Kim Philby, because the British establishment was determined to suppress facts (in the name of "the national interest," naturally) that

would reveal its own incompetence. And he had to go to the European Commission on Human Rights for permission to publish facts about the causes of the thalidomide tragedy. Evans not only showed how the minister of health, Enoch Powell, had made inaccurate pronouncements about the drug on the strength of briefings given to his advisers by the Distillers Company, which had distributed it; he also eventually forced the company to pay adequate compensation to the victims. He notched up other triumphs, too, including exposure of the facts behind a DC-10 air disaster and the publication of former Labour minister Richard Crossman's controversial diaries in the teeth of official opposition. All told, Evans distinguished himself as a virile champion of the best kind of investigative journalism.

He should perhaps have investigated Rupert Murdoch more thoroughly before accepting his alluring offer to become editor of *The Times* in 1981. Murdoch charmed and flattered Evans, confided in him, told him that he couldn't "wait to get an active editor in that graveyard." In the presence of the persuasive Australian, Evans found it "barely possible to believe he would break his word" about maintaining editorial freedom. "[If] I found a way of tearing up all those guarantees and firing an editor," Murdoch told him, "... there would be a terrible stink and it would destroy the paper." Naively, Evans put his faith in *The Times's* independent national directors; predictably, they turned out to be quite useless at protecting the hapless editor from his predatory proprietor. For its part, the Tory government did not refer Murdoch's acquisition of Times Newspapers to the Monopolies Commission — nor did it express disapproval when Murdoch (an ardent Thatcherite) tried to make the paper more popular and right-wing. Under Douglas-Home *The Times* shows every sign of becoming a deluxe edition of the *New York Post*.

Evans's account of how he fought against this trend, how he tried to galvanize what Lord Northcliffe (an earlier proprietor) had called "the barnacle-covered whale," and how he was even-

tually overwhelmed by Murdoch's brutal Northcliffean tactics, constitutes the main body of his book. It is a riveting saga, a vengeful and devastating chronicle, a controlled outpouring of righteous anger. It is full of pungent gossip and acrid character sketches (the ex-chairman of Reuters, Gerald Long, gastronome, logophile, hatchetman, emerges as a particularly bizarre figure). *Good Times, Bad Times* is much more exciting than, say, David Halberstam's *Powers That Be*, and much better written. Indeed, it deserves a place on every aspiring editor's bookshelf.

True, it contains a few errors of detail. And at least part of Evans's overall interpretation is open to challenge. For there is evidence that he brought trouble on himself by running a daily paper like a Sunday, by applying the goad too lib-

erally (according to his "editing theory of maximum irritation"), by bringing in his own team at considerable cost in both cash and confusion, and by failing to match Murdoch in ruthlessness.

Still, if this excellent book proves anything it proves that, when faced with the Mephistophelian Murdoch, Evans was essentially on the side of the angels. He is a newspaperman of the greatest distinction. Nevertheless, *Good Times, Bad Times* has had a relatively poor press in Britain. This is not because Murdoch owns all the newspapers, but, rather, because Evans is something of an alien in his own land. He seems to belong more to the thrusting American journalistic tradition than to his timid domestic one — a British Ben Bradlee, perhaps. There are no vacancies, I suppose, at *The Washington Post* . . . ?

Maggie, gal reporter

Witness to War: A Biography of Marguerite Higgins

by Antoinette May
Beaufort Books. 274 pp. \$17.95

by BERNICE BURESH

For aspiring female journalists of the 1950s and early 1960s, there seemed to be only one woman newspaperman worth imitating — the legendary Marguerite Higgins. It was a time when newspapers had unwritten quotas on the number of women they would employ and restrictions on what those women would cover — yet the *New York Herald Tribune's* Maggie Higgins defied the rules. *She* wasn't waiting in a society section bullpen hoping a cityside woman would drop dead or get pregnant; *she* wasn't covering the education beat because women are supposed to have a natural understanding of children.

Hell, no. Higgins was out there on the front lines — liberating Dachau, covering the Berlin airlift as the twenty-six-year-old chief of her paper's Berlin bureau, landing with the Marines at Inchon, traveling alone across the Soviet

Union during the Cold War, getting chummy with the Kennedys, and being one of those "first" or "only" women that the press loves so much — the first woman, for instance, to win a Pulitzer

Marguerite Higgins arriving in Korea, September 1950



Bernice Buresh, a former Boston bureau chief for Newsweek, is associate professor of journalism at Boston University.

Carl Mydans, Life magazine

Prize for overseas reporting.

What's more, she didn't look like Eleanor Roosevelt. Our Maggie was blond and lissome, and she had all the men any woman could possibly want. So what if she had a nasty habit of going over her editors' heads, or sabotaging other reporters' stories, or, as some said, even stealing other people's exclusives? That's what a gal reporter had to do in those days to survive, and if those male reporters were jealous because Higgins beat them at their own game, well, they could just stick it in their ear.

Small wonder that my generation of cub reporters saw Higgins not as a role model (an anemic phrase), but as an idol. One of my colleagues today, writer Caryl Rivers, remembers that, as a seventeen-year-old copygirl in Washington, she staked out places likely to give her a glimpse of the fabulous Higgins at work. "I gladly would have kissed her feet," Rivers recalls.

But then we grew up. Some of us got reporting jobs where we were the only, or one of the few, women among men, and we found that our fantasies had not prepared us for the loneliness we felt. Now that that time of isolation is past and we are ready for insights into one of our heroines who had to go it alone, we get instead a *Cosmopolitan* version of Higgins's life that does nothing but repeat the old clichés. *Witness to War*, by California newspaper woman Antoinette May, will titillate readers of popular magazines (which will no doubt carry excerpts), but it will sadden anyone who cares about journalism and the struggle of women to be a serious part of that endeavor.

Much of what is in this biography has been covered more gracefully by Higgins herself. In her 1955 autobiography, *News Is A Singular Thing*, she wrote about her lonely and anxious childhood in California with her adored war-hero father and her dramatic French mother. In other books she gave first-person accounts of her experiences in Korea, the Soviet Union, and Vietnam. May might have given us a fresh perspective on Higgins's treatment at the *Herald Tribune*; instead she portrays Higgins as inexplicably in disfavor there despite the scoop upon scoop she produced for her paper.

Whatever editorial conflicts Higgins may have had, whatever the events leading to her switch to *Newsday* as a columnist in 1963, they remain a mystery in May's account.

Actually, mystery may be preferable, considering the author's feeble attempts to explain Higgins's personality. May applies Freudian psychology only to get it hopelessly wrong, to wit: "Father and daughter adored one another; the mother eliminated the potential Electra complex by tolerantly stepping aside and allowing her child to grow up on center stage." Similarly, in her chronicling of Higgins's bedroom escapades, it seems never to have occurred to the author that Higgins's rampant use of her sexuality may have had less to do with "liking men" than it did with feeling vulnerable and terrified.

Poor Higgins. She spent her entire life doing battle with the double standard. Now, eighteen years after her death from a tropical disease contracted in Vietnam, it pursues her still. In this book, for example, we are subjected to *Chicago Daily News* correspondent Keyes Beech's perceptions of Higgins's body ("She was stacked; well endowed with standup breasts") and his discussion of the inconvenience of her menstrual periods, as well as to the author's sly speculation on what Higgins's relationship with journalist Peter Lisagor did for her figure. Antoinette May doesn't seem to have gotten the point that these days you don't do to women in print what you don't do to men.

It's too bad that this biography is so simplistic, because Higgins was obviously a complicated human being operating in a difficult sphere. She was certainly, as the author suggests, courageous and determined. But she was not "liberated," as all women of accomplishment are so fashionably labeled these days. Too often her relationships were caricatures of society's notion of macho man and manipulative woman. She could not be truly liberated because her compulsive need to prove herself anew every day cost her too much of herself. But then that is another story, one that requires wit and compassion and understanding to tell, and one that is yet to come.

The File

In more than forty years as a journalist, Penn Kimball at one time or another has worked for Time, The New York Times, The New Republic, Collier's, United States News (forerunner of U.S. News & World Report), and the experimental New York tabloid PM. For twenty-five years he has been a professor at Columbia's Graduate School of Journalism. In The File, published by Harcourt Brace Jovanovich (356 pp., \$14.95), Kimball describes his persistent efforts to find out how and why the U.S. State Department — to which he had applied for a job in the Foreign Service — had, in 1946, secretly (and falsely) branded him as a threat to the national security. This verdict was to hang like a cloud over the author's subsequent career. In the passage that follows, Kimball reflects on some of his reactions when, thanks to the Freedom of Information Act, he was at last able to examine the documentary record of the process by which he had been tried and convicted of disloyalty some thirty years before.

The targets of investigative journalism these days complain that reporters rely too much on negatives which merely document their preconceptions. Perhaps fate meant to prepare me to be a better teacher of more sensitive reporters, for my file is rich in lessons.

The frame of reference for those sent out to investigate me was laid down in advance in terms that fell considerably short of objectivity — "to conduct a more thorough investigation with a view of bringing out information concerning communistic sympathies or any other subversive information that may be found." The result was that their technique relied heavily upon the leading question.

In one document a special agent from the State Department revealed his exasperation after a long interview with a prominent working newsmen in Washington. "At the time the undersigned asked [name blacked out] the following question: 'Would it be proper to say that Kimball, during the period of unrest at PM [in 1940] and while he was appar-

ently associated with the radical or Communist element, teetered for a while as far as his political beliefs and loyalties were concerned?" "The source, quite to the contrary, had just told the investigator that "a *PM* employee who did not associate with persons of radical or communistic views would of necessity have had to be a hermit. . . . [Mr. Kimball's] natural inquisitiveness and his desire to learn more of the ideologies advanced by the radical group may have led him at times to share the light with them when in reality he was only doing so so as to be able to form his own opinions."

The confidential source then demurred at the special agent's characterization of me as teetering on the brink of subversion, but the source's own words disappear in the file. Enter the paraphrase. "In answer to this question," the special agent noted, "[name blacked out] stated that he believed the undersigned had properly summed up Mr. Kimball's activities, but that in doing so he had leaned a little too far to the Left."

Having tilted his question to improve upon the actual words of the witness, the investigator thereupon substituted his own version of the answer. In the process, the pronoun "he" was left dangling. Who "had leaned a little too far to the Left"? Kimball, or the agent in his capsule account of the interview? A hasty reader of the government file could easily be misled by such language.

The manipulation of meaning was not always so accidental. The bureaucrats in the State Department's Office of Security . . . usually chose only those parts of the field reports that suited their purpose. A former FBI agent with whom I had grown up in New Britain, Connecticut, was interviewed by an ex-colleague out of the New Haven office, Special Agent Edward Whalen. Whalen reported that the informant "advised that he has known the applicant since childhood. . . . He added that if the applicant is suspected of being communistic, that there was nothing to it as is known to the informant. This individual added that in his own opinion the applicant is no more communistic than the informant." Not a word of this clean bill of health from a former FBI agent was included in any of the summaries passed from

hand to hand during the long summer of 1946 when the State Department was judging my loyalty.

The names of informants who were critical of me were blacked out in documents released to me and their identity was kept confidential even though the record shows that few explicitly asked for anonymity. The ground rules were understood by all parties. The accusers were guaranteed not to face the risk of being confronted by the accused. . . . Friendly witnesses . . . were like small fish to be cast back disgustedly into the water. Their names were not censored. . . .

Confidential informants, as a class, turned out to be people who clearly never knew me very well. Their quoted remarks were the comments of those watching from afar. No intimate details, no hard facts, lots of general opinion.

It gives me a queasy feeling, I must confess, to read some of the things persons out of my past were prepared to say about me to the government investigators. Guessing at the identity of one or two, I can recollect instances where they might have been piqued over disagreements which may have transpired between us at the office. The incidents, as I recall, were comparatively trivial, certainly not offenses grave enough to warrant expatriation. Something deeper was driving these accusers. The confidential informants in my file all described themselves as partisans of an "anti-Communist" faction within the New York Newspaper Guild which, in 1946 at least, was in a voting minority among the broad cross-section of nearly 4,000 working journalists and office support staff who belonged to the Guild locals that had signed contracts with eight daily newspapers, three wire services, and two news magazines in the city. Minority status must have added to the vehemence of their views.

What makes their nonsense so scary even today is that most of the informants still being protected by the government were colleagues of mine in the working press. That says something, I'm afraid, about the state of the First Amendment. Even though the government won't officially



Penn Kimball

disclose informants' identities, a trained journalist is able once in a while to reconstruct who might have said what, when and why, and in addition, the bureaucracy is sufficiently inefficient, thank heaven, to fail sometimes to blot out every last mention of a protected source. One or two who have thus escaped anonymity have since prominently proclaimed in the popular press their devotion to the cause of civil liberties. The investigative system that still mocks those liberties was remarkably efficient even way back then.

It strikes me as significant that a Guild pamphlet circulated in *PM*'s city room in Brooklyn in 1941 was in the hands of the FBI in Washington within hours; and that a member of *Time*'s Washington bureau volunteered in 1946 to make "discreet inquiry" about a fellow *Time* writer on behalf of a government agent; and that a member of the staff of *The New York Times* in 1955 begged the FBI not to disclose to his employers that he was giving the bureau the names of fourteen "Communists" on the paper, including the *Times*'s Sunday editor, who at the time had served honorably in that post for thirty-two years. It's all in my file.

BRIEFINGS

by GLORIA COOPER

Battered issues

New Directions for News, by the Women's Studies Program and Policy Center of the George Washington University, 1983

They gave plenty of play to divorce settlements by the likes of Henry Ford II and Senators Talmadge and Brooke, but next to nothing to the myth-exploding finding of the 1980 Census Bureau that only 14 percent of divorced or legally separated women have agreements to receive alimony or maintenance. They had a field day reporting on the right-to-abortion controversy at the National Women's Conference in Houston in 1977, but managed a grand total of two sentences among them on the conference's adoption of the significant Plan of Action plank on women and insurance. They virtually ignored the Civil Rights Commission's 1980 report criticizing the government's failure to enforce laws prohibiting discrimination in education (Title IX) and they have been asleep at their VDTs on the pay equity issue, even though that currently hot topic has been emerging in conferences, hearings, and court rulings for years. In short, the news media's attendance on the so-called women's issues has been something less than gallant, and so what else is new?

What's new is this impressive study in which the coverage of six topics of national interest — domestic relations law, enforcement of Title IX, pay equity, the National Women's Conference in Houston in 1977, the World Conference of the UN Decade for Women in Copenhagen in 1980, and the legal impact of the Equal Rights Amendment — is analyzed in painstaking detail. Conducted by a group of journalists, educators, and policymakers, underwritten by nine newspapers and newspaper foundations, and distributed in final form — a twenty-four-page tabloid — by the American Society of Newspaper Editors, the computer-aided study draws on thousands of clippings submitted to the researchers by The Associated Press and ten major dailies. Topic by topic, and with scrupulous fairness, the study examines the papers' output, citing good examples and bad.

In its most interesting section, the study seeks to determine whether in the 1970s the public was given enough information about the probable effect of the Equal Rights Amendment on laws and regulations to enable it to form an opinion of the proposal on its merits. The answer, in a word, is no. Among the more appalling findings: in only 31 percent of the 2,178 stories claiming to deal with the ERA's legal effects was the amendment quoted or paraphrased correctly;

of the 662 stories that met the study's criteria as to legal content, only fifty quoted legally valid sources — and of those few only two quoted experts who were opposed to the ERA; in no story were the views of opposing constitutional authorities presented and their reasoning set forth. Instead, what readers got was Phyllis Schlafly, whose views were usually presented as though they were as solidly grounded in legislative history and the intent of Congress as those of pro-ERA legal experts, which they were not. Readers got a preponderance of stories on what the ERA "will" and "will not" do, none of which explained how or why; stories containing dramatic and simplistic assertions by proponents and opponents alike, none of whom was asked to explain the basis of those claims; stories quoting a stream of religious leaders warning against the weakening of the family, none of whom was ever challenged by the press to specify by what changes in the law such dire predictions would come to pass.

Having documented conclusively what many women only guessed, the study urges editors to avoid future lapses in human-issue coverage by finding better ways of defining news, focusing debate, seeking credible sources, and challenging statements that are false. It will be interesting to see how editors respond to this industry-sponsored report, and whether they will regard the press's gender gap with as much seriousness as the Reaganites now regard theirs.

Crime marches on

The Encyclopedia of American Crime, by Carl Sifakis, Facts on File, Inc., New York, 1983. \$17.95 (paper)

Meyer Berger is here, that legendary crime reporter for *The New York Times* who won a Pulitzer for his 1949 story tracking a madman killer, then turned over his prize money to the killer's mother. So is Joseph Howard, the market-playing city editor of the *Brooklyn Eagle* who successfully schemed to drive up the price of gold by distributing a phony AP report on the disastrous progress of the Civil War, thus prompting a wrathful Lincoln to order the closing of the *Journal of Commerce*



CJR/Niculae Asciu

and the *World*, the two New York papers that had unwittingly printed the dispatch. And John Clum, founder of the Arizona Territory's *Tombstone Epitaph*, the law-and-order paper that in the 1880s covered more hold-ups, rustlings, gunfights, and murders than any newspaper of its time, relegating minor stabbings and brawls to a daily roundup headed "Death's Doings."

But journalism comprises only one of the categories, and a rather minor one at that, in this 802-page assemblage of facts about American crime from Abbandando (a particularly prolific killer for Murder, Inc.) to Zwillman (a bootlegger who rode the first wave of the national crime syndicate), from the trials of the Salem witches to the trial of Angela Davis. In between are public enemies and public scandals, bombers and brothels, fences and feuds, lynchings, lawyers, labor rackets (did you know, incidentally, that the word "racket" was invented on October 24, 1876, by the sensationalist *Chicago Times*?), and just about anything else one can think of as being remotely connected with the crooked side of life, indexed state by state. This is one of those rare reference volumes that is as entertaining as it is useful; journalists especially should find it a boon. Crime, after all, does pay, at least as a perpetually fascinating beat.

Schudson's wager

The News Media and the Democratic Process, by Michael Schudson, Aspen Institute for Humanistic Studies, Greentown, Md. 1983. \$5.00

Ask any journalist to describe the role of the press in American society and chances are that you will get civics-book platitudes about the news media's responsibility to keep citizens informed so that they may make the rational decisions necessary for the common good. Put the question to political scientists, however, and you are apt to hear responses of an entirely different strain: not only do most contemporary theorists regard the media as having little consequence but, more disquieting yet, they are not at all sure of the real possibility of democracy itself. Faced with such questioning of the classic democratic model — and of the philosophical justification for the daily news — what's the press to do? For one thing, it can read this paper by Michael Schudson, who boldly confronts the dilemma in both theoretical and practical terms.

Moving thoughtfully between the horns of political realities and journalistic ideals,

Schudson proposes that the press take equally seriously the opposing premises of both and conduct itself accordingly — which is to say schizophrenically, he acknowledges, considering the contradictions involved. On the one hand, he urges, the news media should back up their implicit (and explicit) faith in the classic model of democracy by acting as if it truly works (as indeed, he hastens to add, it demonstrably, albeit sporadically, does) — most particularly, by embracing their natural role as political educators of an interested, intelligent electorate.

To this end, he appeals to the press on several counts: first, to correct those practices that tend to thwart the full expression of the public will (for example, reporting on polls with a reverence that conveys a message of deterministic finality, favoring incumbents over challengers with a disproportionate share of coverage, scanting open races, and overrepresenting official views); second, to initiate such practices as would enhance the public's political understanding (a simple daily format, a la sports and stocks, to standardize, on a district by district basis, the progress of local races, as well as closer scrutiny of candidates' positions, and institutional support for short-term sabbaticals at local universities to afford reporters a chance to just plain think).

On the other hand, Schudson reasons, the political theorists may indeed be right — and that possibility presents the press with challenges of a very different order. If, for example, the public is as much of a "phantom" as Walter Lippmann thought, then the mission of the media is not to educate it but to act on its behalf, objectively holding society's governors to existing laws, social norms, and their own promises and goals. If the decline of political parties has effectively reduced the influence of the public in setting policy and the ability of the less privileged to affect their fate, as political scientist Gerald Pomper believes, then the press might examine its own anti-party attitudes (as reflected, for example, in its preference for popular primaries over party caucuses as making for snappier stories) and consider giving more active, and more respectful, attention to party news. If big business exerts such disproportionate influence in the political arena that, as Charles Lindblom concludes, the word "democracy" no longer applies, then the task of the media is to cover more fully the interconnections between public and private power: reporting on legislation, for example, might include a running tab on key bills that not only locates their status in hearings, in committee, and so on, but also identifies those groups with a special interest



in each bill and the particular sections of it that were written at their behest. And if the rise of single-interest constituencies has produced a threat to the very governability of society, as Samuel Huntington contends, then the job of the press is to find new approaches — such as the small "focus groups" of citizens assembled by *The Wall Street Journal* in the 1980 presidential campaign — for helping readers to understand the complex patterns of political thinking as well as the opportunities for compromise that, Schudson affirms, are usually there.

In a kind of journalistic version of Pascal's Wager — in which, it will be recalled, that seventeenth-century mathematician calculated that there was more to be gained than lost by gambling on a God — Schudson elegantly allows the news media the luxury of betting that classical democracy both does and does not exist. With such an advantage, and with the benefit of Schudson's tips, it's hard to see how the press — or the republic — can lose.

UNFINISHED BUSINESS

Revisionists revisited

TO THE REVIEW:

I would like to add a few points to Charles Mohr's fine article refuting "revisionist" criticism of the press coverage in Vietnam ("Once Again — Did the Press Lose Vietnam?") *CJR*, November/December).

The correspondents have been accused of being unduly pessimistic, and thus discouraging the public at home. But declassified documents disclose that U.S. officials were often even more gloomy in their private assessments. The public became confused and eventually negative toward the war because official spokesmen persisted in issuing optimistic statements that failed to match the lack of progress in the conflict. So the real culprits were not the reporters but the officials, who were ultimately trapped by their own duplicity.

It is equally specious to allege that distorted reporting of the 1968 Tet offensive drastically altered American opinion. The surveys show, on the contrary, how little opinion changed during that episode.

The proportion of Americans opposed to the war first exceeded the percentage supporting it during the fall of 1967, months before Tet. At Tet itself, the support curve rose briefly, then resumed its decline. What Tet did, however, was to dramatize to President Johnson's aides that Vietnam had become a liability in an election year. They attributed to the public the shock that they themselves felt.

I submit that press coverage, good or bad, was a relatively minor factor in shaping public attitudes. Americans were far more influenced by growing casualties and by the economic costs of the war. Above all, they lost patience because the struggle seemed to be endless. The U.S. forces won every battle, yet the enemy refused to quit. The public finally concluded that, unless victory could be attained, it was preferable to withdraw. "Let's win or get out," summed up the mood.

Nobody recognized that reality more acutely than did Richard Nixon, who made the U.S. troop withdrawal a priority following his election. In his eagerness to achieve a settlement, he also made major concessions to the communists. He, less than any Amer-

ican political figure, can be charged with having been swayed by the news media.

STANLEY KARNOW
Author, *Vietnam: A History*
Potomac, Md.

Ray Bonner on 'About-face'

TO THE REVIEW:

This is a response to the recent article "About-face on El Salvador" by Michael Massing (*CJR*, November/December). While the issue of press coverage of Central America is a legitimate one for public discussion, and the *Review* is an appropriate place to air it, the article suffers in several respects. Principally, I believe that it was unfair to *The New York Times* and its current reporter in El Salvador, Lydia Chavez.

The article should have noted that the *Times* has provided more coverage to El Salvador than any other major newspaper. I was one of the few reporters to remain in El Salvador for the entire period from the murder of the nuns until after the guerrillas' "final offensive" in January 1981; and, when I left, another reporter was sent. And during the period from November 1981 until August 1982, there were long stretches when I was alone in El Salvador, except for the wires. The *Times* also established a permanent bureau in El Salvador well before any other major paper; today, only the *Times*, the *Miami Herald*, and the *Los Angeles Times*, have permanent offices there.

The article implies, intentionally or otherwise, that after I returned, the *Times* looked for someone who would balance, or counter, what I had written. That is nonsense. Lydia Chavez was eminently qualified for the assignment. Among other things, she spoke Spanish and had many years of journalistic experience. (Since the article contrasts the current reporting in El Salvador with my reporting while there, it is not presumptuous of me to point out that on both counts Lydia was more qualified than I had been.)

To be fair to Lydia, the *Review* article should have taken note of some of her excellent accounts. She was first, for example, with the story of the Las Hojas massacre, and followed up with an exposé about how the army officer responsible for it had not been punished, but returned to active duty —

hardly the stories U.S. officials were delighted to read.

Any misplaced belief that Lydia is motivated by a desire to be "soft" on the Salvadoran government, and on the U.S. policy of supporting it, is certainly belied by her recent article about the death squads in El Salvador. It was the first time any reporter had named the leaders of the death squads, a courageous piece of journalism.

RAYMOND BONNER
New York, N.Y.

Michael Massing replies: *The point of my article was not that coverage by the Times or other papers was uniformly poor, but rather that, for a variety of reasons, most stories reflected an excessive reliance on official sources. As Bonner points out, there were exceptions, and, in retrospect, I think my analysis of the Times's coverage would have benefited if, in addition to calling attention to lapses, it had also credited Chavez with the good pieces she had written. (However, the third article he refers to, on the death squads — which I agree was a courageous piece — appeared on November 5, a week after my article was published.)*

According to Bonner, my article suggests that the *Times* selected Chavez in order to provide "balance." It does not say this. What it does say is that, faced with filling the *San Salvador post*, the *Times* had few experienced reporters available who spoke Spanish and thus had to send a reporter with virtually no prior foreign experience.

Texas postscripts

TO THE REVIEW:

As a former reporter for *The Dallas Times Herald* (1971-1976) and a resident of that city for a decade, I must object to Philip Weiss's occasionally inaccurate portrayal of the state of Texas newspapers ("Letter from Texas," *CJR*, November/December).

Mr. Weiss's most glaring error was his insinuation that former *Times Herald* editor and publisher Tom Johnson personified the act of going to bed with chambers of commerce. In fact, it was under Tom Johnson's leadership that the *Times Herald* began to change from being a conservative establish-

ment booster to a serious observer of issues and individuals. Mr. Weiss went on to use the Johnson anecdote as an example of all that is lacking in the Texas press. To do so was superficial and unfair.

RICHARD MACKENZIE
North American correspondent
Sydney (Australia) *Sun-Herald*
New York, N.Y.

TO THE REVIEW:

Philip Weiss seems to believe that the terminally hip *Houston City* and *Texas Monthly* magazines have carved out some role as influential organs in the state's readership. *Texas Monthly's* reporting on major stories has continually been slickly inept. Many Texans read it mainly to determine which eateries and clothiers to avoid, knowing they will be packed with New Yorkers and Californians trying to reshape Texas culture into the image and likeness of L.A. or Manhattan.

Houston City is just one of a plethora of organs that have sprouted in many major Texas cities. Moreover, *D Magazine* of Dallas or any of a number of monthly magazines were more suitable for skewering than that unabashed booster *Houston City*.

EDD O'DONNELL
Staff writer, *Kerrville Daily Times*
Kerrville, Tex.

TO THE REVIEW:

It's always great to have our betters come down to Texas and point out our faults, as Philip Weiss did in the November/December Review. God knows, we are far from a state of perfection here, something which has apparently been attained in the clime from which Weiss hails. But, despite our perceived provincialism, I suggest that there might have been a few tiny places where Mr. Weiss erred. Let me stick to the parts of his story I know best, in Houston.

Mr. Weiss is correct. He saw little in either of the papers here when the hurricane swept through our city about "how Alicia felt." If Weiss had been in residence in Houston at that time, I assure you he would have had that experience himself and have felt no need for a secondhand account.

Regarding the papers here "buying the line" that flying gravel and debris had broken windows in downtown buildings while we here were "defensively downplaying the role of design defects," would it be possible for Mr. Weiss to furnish me information on such design defects, other than the opinion of one architect quoted in *The New York Times*? An investigation after the hurricane revealed that the damage to glass in downtown buildings

was consistent with the flying-debris theory and that Houston's building code is essentially the same national one used by all cities.

Then, too, there is Mr. Weiss's account of the treatment of Police Chief Lee P. Brown, and the *Chronicle's* giving prominent play to "a biased report" by the police officers' association on Brown's performance as public safety commissioner in Atlanta. While bias tends to be in the eye of the beholder, would Mr. Weiss have us ignore the words of the largest employee group which Chief Brown would have to deal with? And, speaking of ignoring, why did Mr. Weiss ignore an earlier article that reviewed — accurately, I think, since I wrote it — Brown's performance in Atlanta?

Enough of this carping.

In any case, Weiss's story did provide an educational function for me — reminding me once again of a lesson all of us in journalism should remember: poor stories usually result when you start reporting with conclusions firmly in mind.

JIM BARLOW
Reporter, *Houston Chronicle*
Houston, Tex.

TO THE REVIEW:

I don't think the word "defenestrate" means what Philip Weiss thinks it does.

PETE BROWN
Carbondale, Ill.

Philip Weiss replies: *Mr. Mackenzie's testimonial to Tom Johnson's leadership is interesting, but the point of my reference to the Times Herald as "Tom Johnson's paper" was that this was how a newspaper was perceived by Texans, irrespective of the paper's content.*

Mr. Barlow's suggestion that it was not important to Houstonians to read about how the hurricane felt because they had already felt it is a novel one. One hopes that it is not extended to other areas of coverage.

As for the window question, the fact that the damage to windows was consistent with the flying-debris theory does not bear on my point: something went wrong and the papers did not cover it critically. (In fact, the most aggressive coverage of the subject was to be found in out-of-town publications.) The investigation that Mr. Barlow refers to is presumably the same one that has recommended a study of possible changes in the Houston building code, especially as it relates to the use of gravel on the tops of buildings.

When it comes to the Lee Brown coverage, Mr. Barlow's focus is too particular. The reason I picked on the story that overplayed the police union's blast at Brown was that it typified the Chronicle's coverage. An ex-

amination of the Chronicle's file on the chief turns up Barlow's self-designated accurate story, but it also turns up many stories of a mean-spirited nature.

In regard to "defenestration," Mr. Pete Brown has a point. I thought the word appropriate because the wind did, after all, hurl things from windows — and also, of course, because the word sounds so good.

That 'queer' dart

TO THE REVIEW:

A dart to Mr. S. Rayburn Watkins of Associated Industries of Kentucky, whose letter in the November/December issue argued that the word "gay" — meaning homosexual — is "a legitimate word that has been purloined, misappropriated, and redefined to suit the wishes of a special-interest group." Mr. Watkins goes on to aver that using "gay" instead of words like "pansy" or "queer" amounts to editorializing.

The word "gay" has been used at least since the year 1637 to mean "addicted to social pleasures and dissipations," and it is from this meaning that its modern usage is derived. Mr. Watkins can verify this fact in *The Oxford English Dictionary* if he wishes to take the time.

Mr. Watkins's argument itself is curious. By his logic, any rough equivalent, no matter how pejorative, would do in references to particular groups. Thus, instead of BLACK CAUCUS MEETS TUESDAY, Mr. Watkins would just as easily accept NIGGER CAUCUS MEETS TUESDAY. And, instead of "Associated Industries of Kentucky," perhaps we all might avoid editorializing by simply calling it "Capitalist Lobbyists Who Spend Millions Trying to Influence the Kentucky Legislature."

ROBERT C. WATERS
Pensacola, Fla.

Shaping up, part two

TO THE REVIEW:

In his interesting and informative article, "Shape Up! A Pentagon View of the Press" (CJR, September/October), Richard D. DeLauer, Under Secretary of Defense for Research and Engineering, wrote of a brief subsection to a 60 Minutes story on the Maverick air-to-ground missile: "[Correspondent Ed] Bradley . . . asserted that the GAU-8 [an aircraft cannon] and 'dumb' bombs could do the job better, and do it cheaper, than the Maverick."

Bradley himself never used the phrase "dumb bombs," never advocated them. A former fighter pilot who had fired the Mav-

UNFINISHED BUSINESS

erick was the one heard suggesting this alternative to the missile.

Nor did Bradley "assert" that any weapon could "do the job better." What he said was this: "*Critics* [emphasis mine] also question the need for the Maverick, when the Air Force already has an antitank weapon that is cheaper, far less dangerous to pilots, and has been through realistic operational testing. It is the GAU-8, a rapid-firing cannon. . . ."

The critics were not faceless. Two were then heard: the retired Air Force colonel who had been in charge of the GAU-8 testing program, and Arkansas Democratic Senator David Pryor. Asked by Bradley why the Air Force does not want the GAU-8, Senator Pryor responded, in part: "Today the contractors like missiles. It's a high-technology situation. They don't really make as much profit out of making ammunition, let's say, for a 30-millimeter cannon. . . ."

The point is basic: Under Secretary DeLauer ascribed varied views of an alternative weapons system, *not* to the critics actually heard making the claims, but to the journalists who presented them.

The messenger slain again.

EMERSON STONE
Vice-president, News Practices
CBS News
New York, N.Y.

TO THE REVIEW:

According to Mr. DeLauer, *60 Minutes* did a "hatchet job" on the Maverick and made "a big deal out of the problem that the Maverick was *supposed* to have under battlefield conditions" (emphasis added). He did not point out that our source was a series of tests reviewed by the General Accounting Office (GAO) and by the Defense Systems Acquisitions Review Council (DESARC), which is part of the Pentagon. The GAO concluded that the results of operational testing did not warrant moving from development to even limited procurement of the missile.

Further, Admiral Isham Linder from DESARC noted in congressional testimony that he had advised Pentagon officials that recent tests did not support an increase in the production of the Maverick. It also should be pointed out that Mr. DeLauer has a lot riding on the Maverick. It was his decision that continued production of the missile was an acceptable risk.

DeLauer maintains that we were completely dishonest in our comparison of the Maverick and the GAU-8, an aircraft cannon. Critical reports stated that the Maverick wouldn't work at night or in inclement weather. Critics say the GAU-8 is a better and much cheaper weapon.

DeLauer makes a big deal out of the fact that we used film of A-10 fighter planes using aircraft cannons to shoot at stationary tanks on a bright sunny day in the desert. That film clip was provided by the Pentagon. Certainly Mr. DeLauer knows that A-10s can be equipped with night-vision equipment.

It seems to us that a \$6 billion commitment to a weapons system over which there is serious disagreement in military circles warrants public discussion — from both sides.

ED BRADLEY
Correspondent, *60 Minutes*
CBS News
New York, N.Y.

TO THE REVIEW:

Richard DeLauer's article was accurate and forceful. The American Legal Foundation would like to add one broadcast to Mr. DeLauer's list of instances of media distortion of the facts on defense-related issues.

In the "Pentagon/Underground" segment of CBS's July 19, 1983, *Our Times with Bill Moyers*, Dina Rasor, project director of the Project on Military Procurement, and Paul Hoven, an associate, attempted to show that the M-1 tank is a boondoggle, as the following exchange indicates:

HOVEN: [H]ow do you change the oil in the [tank's] engine?

MOYERS: Well, in a car you get under it and unscrew the drain pump.

HOVEN: Drain plug. Right. Very simple. In the M-1, all you have to do is take the engine and transmission out.

MOYERS: Now, come on. . . .

RASOR: And that's a gas turbine engine. It has to have the oil changed often.

Any nonexpert viewer must have been amazed at the Pentagon's incompetence in buying a tank whose engine and transmission would have to be removed frequently for oil changes. However, it is CBS and the Project on Military Procurement, not the Pentagon, which are incompetent. Tanks must be built to withstand a variety of antitank weapons, including exploding land mines. Placing access plates on the bottom of the M-1 tank's hull would have simplified the process of changing the tank's oil, but would have made the tank excessively vulnerable to land-mine explosions. So the Pentagon selected a tank whose oil needs to be changed only about once a year and developed maintenance procedures that make the oil change operation (including engine removal and reinsertion) take less than an hour. For some reason, Moyers and Rasor did not think the audience should know these facts.

Dan Rather once said, "Anyone who

watches television and believes they're well-informed would believe mules can fly." That might be the most accurate statement anyone connected with CBS has ever made.

WILLIAM A. KEHOE, III
Executive director
American Legal Foundation
Washington, D.C.

Leslie Cockburn, a producer with CBS News, replies: *Mr. Kehoe's cut-down version of the transcript omits a crucial fact brought out in the conversation: that Rasor and Hoven's information was based on test results, the tests having been conducted by the Army itself. These results also showed, as Rasor pointed out in the program, that the oil-change operation requires the use of a crane — which, of course, presents logistical problems, especially under battle conditions. As for the Army's claim that it takes only half an hour to change the oil of an M-1, Hoven pointed out in a segment of the interview that was not used in the broadcast: "Now that's not really true, because turbine engines get real hot. And if you try and change [the oil] after [the engine's] been running, you're gonna burn yourself. So you have a number of hours that you have to wait until it cools down enough so that you can handle it."*

Mr. Kehoe warns of the land-mine danger. However, tanks rarely back up over land mines. They tend to hit them head on, and the pressure-sensitive mines explode. Thus, the access plate at the rear of the M-1's predecessor, the M-60, is not affected.

Perhaps Mr. Kehoe would prefer CBS to ignore such information. That would make CBS unique among the media, both broadcast and print, that have used the project's Pentagon documents for stories on a whole range of weapons, including the M-1. Mr. Kehoe certainly seems to have forgotten that, immediately following the exchange he cites, Moyers raised the oil-change question with the Secretary of Defense, who said that adequate maintenance vehicles and procedures make the tank superior to its predecessor.

Mr. Weinberger, who was given the last word on the M-1, also said that the critics should be allowed to make their points. I doubt that Mr. Kehoe would agree.

The peace beat

TO THE REVIEW:

William Sweet's "Europe's Peace Movement: Topic or Target?" (CJR, September/October) provided an accurate and useful analysis of U.S. press treatment of the European peace movement.

However, there are some deficiencies

which I would like to address. The most blatant is your writer's failure to address the smear campaign against the European peace movement, which attempts to discredit it as an extension of Soviet foreign policy under the guidance of the KGB. I wish it were true that this old topic were not serious enough to be given attention in a publication such as the *Review*. It is. The *Review's* editors are undoubtedly familiar with the article which *Reader's Digest* ran in October 1982, "The KGB's Magical War for 'Peace,'" by John Barron. The article, which focused on the European peace movement and sought to demonstrate the influence and involvement of the KGB, represented a particularly gross example of misinformation backed up by the power of paranoia.

The *Reader's Digest*, of course, has long been rabidly anti-communist and militaristic, so Barron's article hardly came as a surprise. What was surprising, and disturbing, is that such poor journalism should be seen as offering legitimacy to the publication of similar material in more respectable journals. In this regard, your writer's failure to comment on John Vinocur's *New York Times* article of July 26, KGB OFFICERS TRY TO INFILTRATE ANTIWAR GROUPS, is another regrettable omission. In that article Mr. Vinocur suggested that the phrase "no new missiles in Europe" was pushed by a campaign of the KGB. Vinocur also cited old "evidence," long since dismissed in The Netherlands, that the KGB had influenced Dutch church groups and peace organizations. Unfortunately, the argument is not dead: the October 24, 1983, *Newsweek* reported that "a 1982 confidential report by Dutch police documents elaborate dealings among East-bloc embassies in The Hague, the Netherlands Communist Party and some fringe peace groups."

It is a pity that your article appeared before that October issue of *Newsweek*, for it is a prime example of the worst kind of coverage of the European peace movement, with its innuendo, its unsupported statements, and its simplistic characterization of European youth as "pacifists, squatters, and disgruntled university students."

But most baffling and frightening of all is the attempt by the writers of such articles to turn the truth upside down in a way which seems to take us a step closer to the age of newspeak, as they do when they imply that pacifists make war more likely, that nuclear weapons and a nuclear-arms race defend peace, and that nonviolence is violence.

As a movement that promotes nonviolent solutions to human conflict, we are particularly concerned with the handling of nonviolent protest, especially in West Germany,

where the government recently passed a law declaring nonviolent civil disobedience to be a form of "violence." (*Newsweek* picked up that argument by saying that the European peace movement contains "an undercurrent of potential violence.")

We believe that it is the responsibility not only of peace activists but of any journalist with a conscience to properly interpret non-violent action to the public. This means drawing a clear distinction between the West Germany of several years back, when violent demonstrations and terrorist activities were the order of the day, and the German peace movement of today which has, quite remarkably, come to affirm a nonviolent basis for its struggle.

JOE PEACOCK
Managing Editor
IFOR Report
International Fellowship
of Reconciliation
Alkmaar, The Netherlands

William Sweet replies: *I agree with Mr. Peacock that the U.S. press has made too much of violent tendencies in the European peace movement and the supposed "undercurrent of potential violence" in that movement. It was an editorial decision, with which I concurred, to focus on other issues. At the time, while we saw no reason to credit reports that demonstrations would turn violent during the upcoming "hot fall," we also saw no reason to believe that our crystal balls were superior to those found in the Bonn bureaus of The New York Times and The Washington Post.*

As for the Barron piece, neither I nor the editors deemed it worthy of close scrutiny in light of the fact that many of Barron's allegations had been investigated by both The Nation (see Frunk Donner's November 6, 1982, article, "But Will They Come? The Campaign to Smear the Nuclear Freeze Movement") and the FBI, which last March issued a report in which the agency said that the Soviets do not "directly control or manipulate" the movement.

Correction

The credit for the November/December 1983 cover photograph by Bob Nickelsberg should have included the name of his agency, Woodfin Camp & Associates.

Deadline

The editors welcome letters from readers. To be considered for publication in the March/April issue, letters should be received by January 20. Letters are subject to editing for clarity and space.

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The Lower case

Dog's not always man's best friend

Morning News and Evening Journal (Wilmington, Del.) 9/29/83



Major quack kills two schoolchildren in Idaho

The Herald (Bellingham, Wash.) 10/28/83

Orioles beat Rangers as pitcher relieves himself

Las Vegas Review-Journal 7/30/83

Teacher strikes idle kids

Las Vegas Sun 9/1/83

Manet works at Met Museum

The Boston Globe 9/5/83

Sisters reunited after 18 years in checkout line at supermarket

Arkansas Democrat 9/23/83

Tune In Tonight

'S.O.B.' makes debut

EDITOR'S NOTE: President Reagan will hold his 20th news conference since taking office.

The Herald Telephone (Bloomington, Ind.) 10/19/83

Pre-riot stories were inciteful, not inciting

The Miami Herald 10/3/83

UNDERGROUND SHOPPER/by Sue Goldstein

Don't go overboard on funerals

Rocky Mountain News 11/3/83

8 U.S. soldiers die in Grenada

Idaho delegation pleased

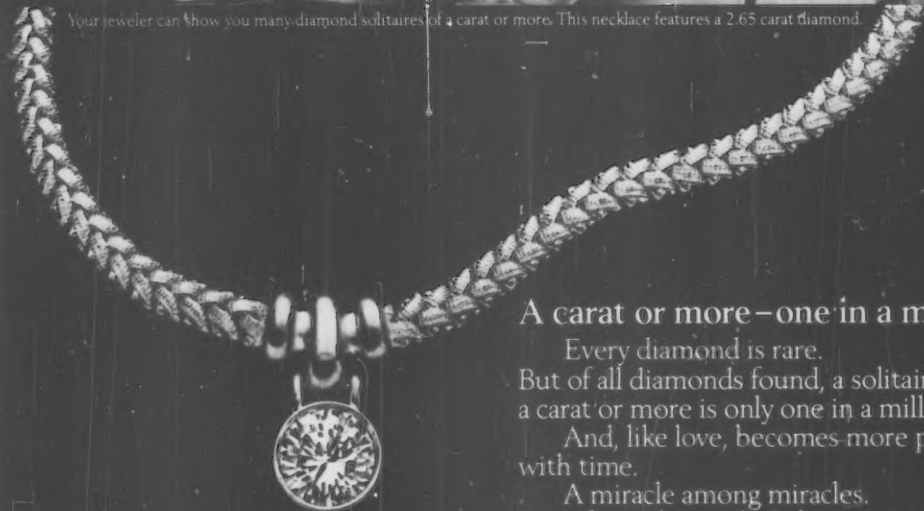
Idaho Press-Tribune 10/26/83

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